



Montana Legislative History

Chapter: 554 Session L: 1981

Checklist of Bill History

Bill Number: 200 House / Senate

History and Final Status Sheet



Introduced Bill



Fiscal Note



Third Reading Bill



Final Version of Bill



House

Committee:

Fish & Game

Hearing Date(s):

Jan. 29, 1981

Feb. 19, 1981

Committee Report:

Senate

Committee:

Fish and Game

Hearing Date(s):

march 12, 1981, march 19, 1981

march 24, 1981

Committee Report:

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by:

Date:

Notes:

RETURNED TO HOUSE WITH AMENDMENTS: 3/27
2ND READING: 3/30, YEAS: 69; NAYS: 9
3RD READING: 3/31, YEAS: 94; NAYS: 2

TRANSMITTED TO GOVERNOR: 4/1
ACTION: AMENDATORY VETO

GOVERNOR'S AMENDMENTS
HOUSE 2ND READING: 4/9, YEAS: 89; NAYS: 0
ON MOTION, 4/9, RULES SUSPENDED AND PLACED ON 3RD READING.
HOUSE 3RD READING: 4/9, YEAS: 92; NAYS: 0

SENATE 2ND READING: 4/13, BE CONCURRED IN
SENATE 3RD READING: 4/14, YEAS: 47; NAYS: 0

TRANSMITTED TO GOVERNOR: 4/17
ACTION: SIGNED, 4/22
CHAPTER 496

HB 198—BRAND, SIVERTSEN—TO PROHIBIT THE USE OF PUBLIC FUNDS TO PAY FOR
EDUCATION OF PRISONERS.

INTRODUCED: 1/14
REFERRED TO COMMITTEE ON EDUCATION: 1/14
HEARING: 1/21
REPORT: DO NOT PASS, 2/11
SUBSTITUTE MOTION, 2/19, THAT THE BILL BE PRINTED AND PLACED ON
2ND READING. MOTION FAILED, YEAS: 40; NAYS: 57
REPORT: ADOPTED, 2/19
BILL KILLED: 2/19 YEAS: 65; NAYS: 20

HB 199—LORY—TO CLARIFY THE DEFINITION OF CONSTRUCTION FOR STATE
BUILDING PROJECTS.

INTRODUCED: 1/14
REFERRED TO COMMITTEE ON FISH AND GAME: 1/14
HEARING: 1/20
REPORT: DO PASS, 1/20
2ND READING: 1/23 YEAS: 87; NAYS: 3
3RD READING: 1/24 YEAS: 74; NAYS: 2

TRANSMITTED TO SENATE: 1/24
REFERRED TO COMMITTEE ON STATE ADMINISTRATION: 1/26
HEARING: 3/3
REPORT: 3/4, BE CONCURRED IN
2ND READING: 3/6, BE CONCURRED IN
3RD READING: 3/9, YEAS: 45; NAYS: 9

RETURNED TO HOUSE: 3/9
TRANSMITTED TO GOVERNOR: 3/14
ACTION: SIGNED, 3/16
CHAPTER 67

HB 200—ELLISON—TO INCREASE FUNDS AVAILABLE FOR MANAGEMENT OF THE
STATE'S WILDLIFE RESOURCES BY INCREASING THE FEES FOR HUNTING,
FISHING, TRAPPING, AND RELATED LICENSES AND PERMITS....

FISCAL NOTE: REQUIRED
INTRODUCED: 1/14
REFERRED TO COMMITTEE ON TAXATION: 1/14
ON MOTION, TAKEN FROM COMMITTEE ON TAXATION AND REFERRED TO
COMMITTEE ON FISH AND GAME, 1/16
HEARING: 1/29

HEARING: 2/16
REPORT: DO PASS AS AMENDED, 2/19
2ND READING: 2/24, YEAS: 83; NAYS: 8
3RD READING: 2/25, YEAS: 80; NAYS: 17

TRANSMITTED TO SENATE: 2/25
REFERRED TO COMMITTEE ON FISH AND GAME: 3/3
HEARING: 3/12; EXECUTIVE SESSION: 3/19
REPORT: 3/26, BE CONCURRED IN, AS AMENDED
2ND READING: 3/30, AS AMENDED YEAS: 35; NAYS: 14
3RD READING: 3/31, YEAS: 34; NAYS: 16

RETURNED TO HOUSE WITH AMENDMENTS: 3/31
2ND READING: 4/8, BE NOT CONCURRED IN MOTION,
YEAS: 75; NAYS: 12
REFERRED TO FREE CONFERENCE COMMITTEE: 4/9

FREE CONFERENCE COMMITTEE REPORT NO. 1: 4/13
SENATE
2ND READING: 4/15, BE CONCURRED IN
ON MOTION, 4/16, REREFERRED TO FREE CONFERENCE COMMITTEE

FREE CONFERENCE COMMITTEE REPORT #2: 4/16
SENATE
2ND READING: 4/17, BE CONCURRED IN
ON MOTION, 4/17, RULES SUSPENDED, PLACED ON 3RD READING
3RD READING: 4/17, YEAS: 42; NAYS: 8

HOUSE
2ND READING: 4/17, YEAS: 78; NAYS: 6
ON MOTION, 4/17, RULES SUSPENDED AND PLACED ON 3RD READING
3RD READING: 4/17, YEAS: 83; NAYS: 12

TRANSMITTED TO GOVERNOR: 4/23
ACTION: SIGNED, 4/29
CHAPTER 554

HB 201—SIVERTSEN—DIRECTING THE DEPARTMENT OF REVENUE TO COMPILE AND PUBLISH ANNUALLY INFORMATION OBTAINED FROM THE REALTY TRANSFER ACT....

FISCAL NOTE: REQUIRED
INTRODUCED: 1/14
REFERRED TO COMMITTEE ON STATE ADMINISTRATION: 1/14
HEARING: 1/22
REPORT: DO PASS AS AMENDED, 1/26
2ND READING: 1/28, ON MOTION, PASSED FOR THE DAY.
2ND READING: 1/29, AS AMENDED, YEAS: 88; NAYS: 0
3RD READING: 2/2, YEAS: 95; NAYS: 3

TRANSMITTED TO SENATE: 2/2
REFERRED TO COMMITTEE ON STATE ADMINISTRATION: 2/3
HEARING: 3/11
REPORT: 3/11, BE CONCURRED IN
2ND READING: 3/13, YEAS: 30; NAYS: 18
3RD READING: 3/16, YEAS: 39; NAYS: 11

RETURNED TO HOUSE: 3/16
TRANSMITTED TO GOVERNOR: 3/25
ACTION: AMENDATORY VETO

HOUSE BILL NO. 200

INTRODUCED BY ELLISON

BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

IN THE HOUSE

January 14, 1981	Introduced and referred to Committee on Taxation.
January 16, 1981	Fiscal note requested. Rereferred to Committee on Fish and Game.
January 21, 1981	Fiscal note returned.
February 21, 1981	Committee recommend bill do pass as amended. Report adopted.
February 23, 1981	Bill printed and placed on members' desks.
February 24, 1981	Second reading, do pass as amended.
February 25, 1981	On motion rules suspended and bill placed on third reading this day. Third reading, passed. Ayes, 80; Noes, 17. Transmitted to Senate.

IN THE SENATE

March 3, 1981	Introduced and referred to Committee on Fish and Game.
March 26, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 28, 1981	Motion pass consideration.

March 30, 1981

Second reading, concurred in
as amended.

March 31, 1981

On motion rules suspended. Bill
allowed to be transmitted on 71st
legislative day. Motion adopted.

Third reading, concurred in
as amended. Ayes, 34; Noes, 16.

IN THE HOUSE

April 1, 1981

Returned from Senate with amendments

April 8, 1981

Second reading, amendments not
concurred in.

On motion Free Conference
Committee requested.

April 9, 1981

Free Conference Committee appointed.

April 14, 1981

Free Conference Committee
reported and dissolved.

April 17, 1981

Second reading, Free Confer-
ence Committee report adopted.

On motion rules suspended and Free
Conference Committee report placed
on third reading this day.

Third reading, Free Conference
Committee report adopted. Ayes, 83;
Noes, 12. Transmitted to Senate.

IN THE SENATE

April 20, 1980

Free Conference Committee
report adopted.

IN THE HOUSE

April 20, 1981

Returned from Senate. Sent to
enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 300
 2 INTRODUCED BY Ellison
 3 BY REQUEST OF
 4 THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
 5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE FUNDS
 7 AVAILABLE FOR MANAGEMENT OF THE STATE'S WILDLIFE RESOURCES
 8 BY INCREASING THE FEES FOR HUNTING, FISHING, TRAPPING, AND
 9 RELATED LICENSES AND PERMITS; REMOVING THE 7-YEAR KILL
 10 LIMITATION ON CERTAIN GAME ANIMALS; AND REMOVING THE
 11 PRIORITY STATUS FOR UNSUCCESSFUL SPECIAL ELK AND ANTELOPE
 12 LICENSE APPLICANTS; AMENDING SECTIONS 87-2-104, 87-2-202,
 13 87-2-301, 87-2-302, 87-2-304, 87-2-401 THROUGH 87-2-403,
 14 87-2-501, 87-2-505, 87-2-507, 87-2-508, 87-2-601, 87-2-701,
 15 87-2-702, 87-2-705, 87-2-706, 87-2-711, 87-2-805, 87-2-903,
 16 AND 87-5-204, MCA; REPEALING SECTIONS 87-2-303, 87-2-703,
 17 AND 87-2-721, MCA; AND PROVIDING SEPARATE EFFECTIVE DATES."
 18
 19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 20 Section 1. Section 87-2-104, MCA, is amended to read:
 21 "87-2-104. Number of licenses allowed. Only one
 22 license of any one class, except Class B-3 and B-4 licenses,
 23 shall be issued to any one person. The department may
 24 prescribe rules and regulations for the issuance or sale of
 25 a replacement license of the same class in the event the

1 original license is lost, stolen, or destroyed upon payment
 2 ~~of the sum of \$3 or the cost of the original license,~~
 3 ~~whichever is the smaller amount~~ of the original price of the
 4 lost, stolen, or destroyed license, not to exceed \$25."

5 Section 2. Section 87-2-202, MCA, is amended to read:
 6 "87-2-202. Application -- stamp attachment -- fee --
 7 expiration. (1) A wildlife conservation license shall be
 8 sold upon written application. The application shall contain
 9 the applicant's name, age, occupation, place of residence,
 10 post-office address, and length of time in the state of
 11 Montana; state whether the applicant is a citizen of the
 12 United States or an alien; and be subscribed by the
 13 applicant. The applicant shall present a driver's license or
 14 other identification to substantiate the information.

15 (2) Hunting, fishing, or trapping licenses in the form
 16 of tags or stamps issued to a holder of a wildlife
 17 conservation license must be affixed to or recorded on the
 18 wildlife conservation license according to such rules as the
 19 department may prescribe.

20 (3) Resident and nonresident wildlife conservation
 21 licenses may be purchased for a fee of ~~\$4~~ \$3.

22 (4) Licenses issued shall be void after April 30 next
 23 succeeding their issuance."

24 Section 3. Section 87-2-301, MCA, is amended to read:
 25 "87-2-301. Class A--resident fishing license. Any

1 resident, as defined by 87-2-102, upon payment of a fee of
 2 ~~\$5 \$7.50 or, after April 30, 1983, a fee of \$10~~, shall
 3 receive a Class A license which shall entitle the holder
 4 thereof to fish with hook and line or rod as authorized by
 5 regulations of the department."

6 Section 4. Section 87-2-302, MCA, is amended to read:

7 "87-2-302. Class B--nonresident fishing license. Any
 8 person not a resident, as defined in 87-2-102, upon payment
 9 of the sum of ~~\$20 \$40~~ to any agent of the department
 10 authorized to issue fishing and hunting licenses, shall be
 11 entitled to a Class B license which shall entitle the holder
 12 thereof to fish with hook and line as authorized by the
 13 rules and regulations of the department."

14 Section 5. Section 87-2-304, MCA, is amended to read:

15 "87-2-304. Class B-4--~~one-day two-day~~ nonresident
 16 fishing license. Any person not a resident, as defined in
 17 87-2-102, who is a holder of a valid wildlife conservation
 18 license, upon payment of the sum of ~~\$2 \$4~~ to any agent of
 19 the department authorized to issue fishing and hunting
 20 licenses, shall be entitled to a ~~1-day 2-day~~ nonresident
 21 fishing license which shall authorize the holder to fish
 22 with hook and line as prescribed by rules and regulations of
 23 the department for ~~1 2~~ calendar ~~day days~~ as indicated on the
 24 license."

25 NEW SECTION. Section 6. Paddlefish tags. The

1 department may issue paddlefish tags to holders of valid
 2 Class A, Class B, and Class B-4 fishing licenses for a fee
 3 of \$5. Each tag authorizes the holder to fish with hook and
 4 line for paddlefish as prescribed by rules of the
 5 department.

6 Section 7. Section 87-2-401, MCA, is amended to read:

7 "87-2-401. Class A-1--resident game bird license.
 8 Except as otherwise provided, a resident, as defined by
 9 87-2-102, who is 12 years of age or older may, upon payment
 10 of a fee of ~~\$4 \$5 or, after April 30, 1983, a fee of \$6~~,
 11 receive a Class A-1 license which will entitle the holder to
 12 pursue, hunt, shoot, and kill game birds and possess the
 13 carcasses of game birds as authorized by department rules."

14 Section 8. Section 87-2-402, MCA, is amended to read:

15 "87-2-402. Class B-1--nonresident game bird license.
 16 Except as otherwise provided in this chapter, a person not a
 17 resident, as defined in 87-2-102, but who is 12 years of age
 18 or older, upon payment of a fee of ~~\$30 \$40~~ may receive a
 19 Class B-1 license which shall entitle the holder thereof to
 20 pursue, hunt, shoot, and kill game birds and possess the
 21 carcasses of game birds as authorized by department rules."

22 Section 9. Section 87-2-403, MCA, is amended to read:

23 "87-2-403. Wild turkey tags and fee. (1) The
 24 department may issue wild turkey tags to the holder of a
 25 valid Class A-1 or Class B-1 license. Each tag shall entitle

the holder to pursue, hunt, shoot, and kill one wild turkey and possess the carcass thereof, during such times and such places as the department shall authorize an open season on wild turkey.

(2) The fee for a wild turkey tag shall be \$2 ~~\$5~~. Turkey tags shall be issued either by a drawing system or in unlimited number as authorized by department rules."

Section 10. Section 87-2-501, MCA, is amended to read:

"87-2-501. Class A-3, A-4, A-5, A-6--resident deer, elk, and bear licenses. Except as otherwise provided in this chapter, a resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of the proper fee or fees, be entitled to purchase one each of the following licenses which will entitle the holder to pursue, hunt, shoot, and kill the game animal or animals authorized by the license held and to possess the carcasses of those game animals as authorized by department rules:

(1) Class A-3, deer A tag, ~~\$7 \$8 until April 30, 1983,~~
~~then \$10;~~

(2) Class A-4, deer B tag, \$5;

(3) Class A-5, elk tag, ~~\$8 \$10 until April 30, 1983,~~
~~then \$12;~~

(4) Class A-6, black or brown bear tag, ~~\$6 \$10."~~

Section 11. Section 87-2-505, MCA, is amended to read:

"87-2-505. Class B-10--nonresident big game combination license. Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of the fee of \$225 ~~\$300 or, after April 30, 1983, a fee of \$325,~~ and subject to the limitations prescribed by law and department regulation, apply to the fish and game office, Helena, Montana, to purchase a B-10 nonresident big game combination license which shall entitle the holder to all the privileges of Class B, Class B-1, Class B-7, and black bear licenses, and an elk tag. This license includes the nonresident conservation license as prescribed in 87-2-202. Not more than 17,000 Class B-10 licenses may be sold in any one license year."

Section 12. Section 87-2-507, MCA, is amended to read:

"87-2-507. Class D-1--nonresident mountain lion license. Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who is 12 years of age or older, upon payment of a fee of ~~\$100 \$250~~ may receive a Class D-1 license which shall entitle the holder thereof to pursue, hunt, shoot, and kill mountain lion and possess the carcass thereof as authorized by department rules."

Section 13. Section 87-2-508, MCA, is amended to read:

1 "87-2-508. Class D-2--resident mountain lion license.
 2 Except as otherwise provided in this chapter, a person who
 3 is a resident, as defined in 87-2-102, and who is 12 years
 4 of age or older, upon payment of a fee of \$5 ~~\$25~~ may receive
 5 a Class D-2 license which shall entitle the holder thereof
 6 to pursue, hunt, shoot, and kill mountain lion and possess
 7 the carcass thereof as authorized by department rules."

8 Section 14. Section 87-2-601, MCA, is amended to read:
 9 "87-2-601. Class C--trapper's license. Except as
 10 otherwise provided in this chapter, a resident, as defined
 11 in 87-2-102, upon making application and payment of a fee of
 12 ~~\$10 \$25~~ to the department, may receive a Class C license
 13 which shall authorize the holder thereof to trap fur-bearing
 14 animals and hunt bobcat, wolverine, and Canada lynx within
 15 the state of Montana at such times and in such manner as may
 16 be lawful so to do under the laws of the state and the
 17 regulations of the department and at such places as may be
 18 designated in said license."

19 Section 15. Section 87-2-701, MCA, is amended to read:

20 "87-2-701. Special licenses. (1) Any applicant who
 21 will be 12 years of age or older prior to September 15 of
 22 the season for which the license is issued and is the holder
 23 of a resident wildlife conservation license or a nonresident
 24 wildlife conservation license may apply for a special
 25 license which, in the judgment of the department, is to be

1 issued and shall pay the following fees therefor:

- 2 (a) moose--resident, \$25 ~~\$50~~; nonresident, ~~\$150~~ ~~\$250~~;
- 3 (b) mountain goat--resident, ~~\$15~~ ~~\$50~~; nonresident,
- 4 ~~\$150~~ ~~\$250~~;
- 5 (c) mountain sheep--resident, \$25 ~~\$50~~; nonresident,
- 6 ~~\$150~~ ~~\$250~~;
- 7 (d) antelope--resident, \$5 ~~\$10~~; nonresident, \$100;
- 8 (e) grizzly bear--resident, \$25 ~~\$50~~; nonresident, ~~\$150~~
- 9 ~~\$250~~;

10 (f) black or brown bear--nonresident, \$100.

11 (2) In the event a holder of a valid special grizzly
 12 bear license kills a grizzly bear, he must purchase a trophy
 13 license for a fee of \$25 within 10 days after date of kill.
 14 Such trophy license shall authorize the holder to possess
 15 and transport said trophy.

16 (3) Special licenses shall be issued in a manner
 17 prescribed by the department."

18 Section 16. Section 87-2-702, MCA, is amended to read:

19 "87-2-702. Restrictions on special licenses. ~~{1}--A~~
 20 ~~person--who--has--obtained--a--grizzly-bear--moose--mountain~~
 21 ~~goat--or--mountain-sheep--license--is--not--eligible--to--apply--for~~
 22 ~~another--such--license--for--the--next--succeeding--7--years--if--such~~
 23 ~~person--has--killed--or--taken--an--animal--of--the--species--for~~
 24 ~~which--the--special--license--was--issued--A--person--who--has~~
 25 ~~obtained--a--grizzly-bear--moose--mountain--goat--or--mountain~~

1 ~~sheep--license--but--did--not--kill--or--take--an--animal--of--the~~
 2 ~~species--for--which--the--special--license--was--issued--is--eligible~~
 3 ~~to--apply--for--another--such--license--in--any--succeeding--year--if~~
 4 ~~he--returns--his--unused--special--license--to--the--department~~
 5 ~~before--or--at--the--time--application--is--made.~~

6 ~~(2)(1)~~ A person who has received a special permit for
 7 elk is not eligible to receive a second special permit for
 8 this species of game animal during any license year.
 9 However, in the event the number of applications received is
 10 not equal to the number of game animals desired to be killed
 11 by the department, reapplication may be made by those valid
 12 license holders of the current year who may fall within
 13 these limitations.

14 ~~(3)(2)~~ A person who has killed or taken any game
 15 animal, except a deer or an antelope, during the current
 16 license year is not permitted to receive a special license
 17 under this chapter to hunt or kill a second game animal of
 18 the same species."

19 Section 17. Section 87-2-705, MCA, is amended to read:

20 "87-2-705. Drawing for special elk permits. In the
 21 event the number of valid applications for special elk
 22 permits for a hunting district exceeds the quota set by the
 23 department for the district, these permits shall be awarded
 24 by a drawing. ~~Persons--making--valid--application--who--did--not~~
 25 ~~receive--a--special--elk--permit--during--the--season--immediately~~

1 ~~preceding--the--drawing--shall--receive--first--preference--in--this~~
 2 ~~drawing--for--firsty--secondy--and--third--choice--hunting~~
 3 ~~districts. The department shall provide for those persons~~
 4 ~~making valid application for special elk permits a method of~~
 5 ~~selecting first, second, and third choice hunting districts~~
 6 ~~for any drawing held pursuant to this section. The~~
 7 ~~department may promulgate the rules necessary to implement~~
 8 ~~this section."~~

9 Section 18. Section 87-2-706, MCA, is amended to read:

10 "87-2-706. Drawing for special antelope licenses. In
 11 the event the number of valid applications for special
 12 antelope licenses for a hunting district exceeds the quota
 13 set by the department for the district, such licenses shall
 14 be awarded by a drawing. ~~Persons--making--valid--application~~
 15 ~~who--did--not--receive--an--antelope--license--during--the--season~~
 16 ~~immediately--preceding--the--drawing--shall--be--given--first~~
 17 ~~preference--in--such--drawing--for--firsty--secondy--and--third~~
 18 ~~choice--hunting--districts. The department shall provide for~~
 19 ~~those persons making valid application for special antelope~~
 20 ~~licenses a method of selecting first, second, and third~~
 21 ~~choice hunting districts for any drawing held pursuant to~~
 22 ~~this section. The department shall have the authority to~~
 23 ~~promulgate such rules and regulations as are necessary to~~
 24 ~~implement this section."~~

25 NEW SECTION. Section 19. Drawing fee. (1) When the

1 department determines a drawing is necessary prior to
2 issuance of hunting licenses for any game species during a
3 hunting season, it shall collect a \$5 drawing fee with each
4 application submitted.

5 (2) This fee must be deposited in the earmarked
6 revenue fund to the credit of the department as set forth in
7 87-1-601.

8 (3) The payment of a drawing fee confers no hunting
9 rights or privileges.

10 (4) The commission may waive the provisions of
11 subsection (1) when a drawing is required for a special
12 season under 87-1-304.

13 Section 20. Section 87-2-711, MCA, is amended to read:

14 "87-2-711. Class AAA--sportsman's license. Any
15 resident, as defined by 87-2-102, who will be 12 years of
16 age or older prior to September 15 of the season for which
17 the license is issued, upon payment of the sum of \$35 ~~\$40~~,
18 shall be entitled to a sportsman's license which shall
19 permit the holder to exercise all rights granted to holders
20 of Class A, A-1, A-3, A-5, A-6, and resident conservation
21 licenses as prescribed in 87-2-202. The department shall
22 furnish each holder of a sportsman's license an appropriate
23 decal."

24 Section 21. Section 87-2-805, MCA, is amended to read:

25 "87-2-805. Persons under fifteen years of age. (1)

1 Minors under 15 years of age may fish for and take fish
2 during the open season without a license. However, no
3 nonresident person under the age of 15 years may fish in or
4 on any Montana waters without first having obtained a Class
5 B, B-3, or B-4 fishing license unless the nonresident person
6 under the age of 15 years is in the company of an adult in
7 possession of a valid Montana fishing license. The limit of
8 fish for the nonresident person and the accompanying adult
9 combined may not exceed the limit for one adult as
10 established by law or by rule of the department.

11 (2) Residents, as defined by 87-2-102, under the age
12 of 15 years may purchase Class A-1, A-3, and A-5 licenses at
13 ~~\$2 \$3~~ per license."

14 Section 22. Section 87-2-903, MCA, is amended to read:

15 "87-2-903. Compensation and duties of agents. (1)
16 License agents, except salaried employees of the department,
17 shall receive for all services rendered the sum of \$5 30
18 cents for each license, permit, or certificate issued. On or
19 before the 10th day of each month each license agent shall
20 submit to the department all duplicates of each class of
21 licenses sold during the preceding month and shall accompany
22 the duplicate licenses with all moneys received for the sale
23 of the licenses less a fee of \$5 30 cents for each license
24 sold. Each license agent shall keep his license account open
25 at all reasonable hours to inspection by the department, the

1 director, the wardens, or the legislative auditor.

2 (2) For purposes of this section, the term "license"

3 includes any license, permit, and certificate prescribed by

4 the department."

5 Section 23. Section 87-5-204, MCA, is amended to read:

6 "87-5-204. License and rules for falconry. (1) The

7 department may adopt specific rules for the keeping of

8 records and for the trapping, taking, possession, or

9 training of raptors used in the practice of falconry and may

10 authorize the issuance of licenses to persons for the

11 practice of falconry. It is unlawful for any person to

12 possess a raptor or to train a raptor in the practice of

13 falconry without a license.

14 (2) The fee for a falconry license is ~~\$3~~ \$25 a year or

15 any part of a year. A license expires April 30 each year.

16 (3) A license may not be issued to a person under the

17 age of 12 years.

18 (4) Licensees shall have in possession a valid

19 falconer's license when engaged in the practice of falconry.

20 In addition, falconers loosing raptors at game birds shall

21 have in possession a valid resident or nonresident game bird

22 license.

23 (5) Falconry licenses or permits are not transferable

24 and may be revoked for due cause at any time by the

25 department."

1 Section 24. Repealer. (1) Sections 87-2-703 and

2 87-2-721, MCA, are repealed effective May 1, 1981.

3 (2) Section 87-2-303, MCA, is repealed effective May

4 1, 1982.

5 Section 25. Codification instruction. (1) Section 6 is

6 intended to be codified as an integral part of Title 87,

7 chapter 2, part 3, and the provisions of Title 87 apply to

8 section 6.

9 (2) Section 19 is intended to be codified as an

10 integral part of Title 87, chapter 2, part 1, and the

11 provisions of Title 87 apply to section 19.

12 Section 26. Effective date. This act is effective as

13 follows:

14 (1) Sections 2 and 19 are effective May 1, 1981.

15 (2) Section 24 is effective as provided therein.

16 (3) Section 16 is effective July 1, 1980.

17 (4) Sections 17 and 18 are effective on passage and

18 approval of this act.

19 (5) All other sections are effective May 1, 1982.

-End-

HB 200

STATE OF MONTANA

REQUEST NO. 116-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 16, 19 81, there is hereby submitted a Fiscal Note for House Bill 200 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

An act to increase funds available for management of the state's wildlife resources by increasing the fees for hunting, fishing, trapping, and related licenses and permits; removing the 7-year kill limitation on certain game animals; and removing the priority status for unsuccessful special elk and antelope license applicants.

Assumptions

It is assumed the license dealer commission fee will be increased from 15¢ to 30¢ per license. It is assumed the price of some licenses will not change (bow and arrow, nonresident antelope, nonresident bear, resident and nonresident Deer B). It is assumed the proposed fee increases will occur in three separate waves spread over the next several years: May 1, 1981, May 1, 1982, and May 1, 1983. It is assumed several licenses and fees will be eliminated (nongame certificate, nonresident 6-day fishing license, special elk drawing fee, special deer drawing fee). A 10% drop in the total sales volume of licenses sold is assumed if hunting and fishing license fees are increased. Historically after a license fee increase sales volume has dropped 8-15%. No difference was assumed between annual revenue generated in a Department of Fish, Wildlife & Parks license year (May 1 to April 30) and a state of Montana fiscal year (July 1 to June 30).

Fiscal ImpactFY 1982FY 1983

Hunting & Fishing License

Earmarked Revenue:

Current Law	\$8,112,197	\$8,112,197
Operating Expense	<u>47,000</u>	<u>47,000</u>

Proposed Law	\$8,065,197	\$8,065,197
Operating Expense	<u>9,239,446</u>	<u>11,534,788</u>
	<u>0</u>	<u>0</u>

Estimated Revenue	\$1,174,249	\$3,469,591
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Long Range Effects of Proposed Legislation

The fee increases scheduled for May 1, 1983 will have an additional annual revenue impact of \$802,231 in fiscal years subsequent to FY 1983. This revenue package was designed to carry the Department of Fish, Wildlife & Parks through the next four fiscal years without further major fee increases.

David M. Lewis
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-21-81Technical or Mechanical Defects or Conflicts with Existing Legislation

Sec. 26, Subsec. (3) should read as follows: "(3) Section 16 is effective 7-1-81" Rather than July 1, 1980). There is a typographical error in drafting the bill

Approved by Comm.
on Fish and Game

1 HOUSE BILL NO. 200
2 INTRODUCED BY ELLISON
3 BY REQUEST OF
4 THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE FUNDS
7 AVAILABLE FOR MANAGEMENT OF THE STATE'S WILDLIFE RESOURCES
8 BY INCREASING THE FEES FOR HUNTING, FISHING, TRAPPING, AND
9 RELATED LICENSES AND PERMITS; REMOVING THE 7-YEAR KILL
10 LIMITATION ON CERTAIN GAME ANIMALS; AND REMOVING THE
11 PRIORITY STATUS FOR UNSUCCESSFUL SPECIAL ELK AND ANTELOPE
12 LICENSE APPLICANTS; AMENDING SECTIONS 87-2-104, 87-2-202,
13 87-2-301, 87-2-302, 87-2-304, 87-2-401--THROUGH 87-2-403,
14 87-2-501, 87-2-505, 87-2-507, 87-2-508, 87-2-601, 87-2-701,
15 87-2-702, 87-2-705, 87-2-706, 87-2-711, 87-2-805, AND
16 87-2-903, AND 87-5-204, MCA; REPEALING SECTIONS 87-2-303,
17 87-2-703, AND 87-2-721, MCA; AND PROVIDING SEPARATE
18 EFFECTIVE DATES."
19
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
21 Section 1. Section 87-2-104, MCA, is amended to read:
22 "87-2-104. Number of licenses allowed. Only one
23 license of any one class, except Class B-3 and B-4 licenses,
24 shall be issued to any one person. The department may
25 prescribe rules and regulations for the issuance or sale of

1 a replacement license of the same class in the event the
2 original license is lost, stolen, or destroyed upon payment
3 of the sum of \$3--or--the--cost--of--the--original--license,
4 whichever-is-the-smaller-amount of the original price of the
5 lost, stolen, or destroyed license, not to exceed \$25 \$5."

6 Section 2. Section 87-2-202, MCA, is amended to read:
7 "87-2-202. Application -- stamp attachment -- fee --
8 expiration. (1) A wildlife conservation license shall be
9 sold upon written application. The application shall contain
10 the applicant's name, age, occupation, place of residence,
11 post-office address, and length of time in the state of
12 Montana; state whether the applicant is a citizen of the
13 United States or an alien; and be subscribed by the
14 applicant. The applicant shall present a driver's license or
15 other identification to substantiate the information.

16 (2) Hunting, fishing, or trapping licenses in the form
17 of tags or stamps issued to a holder of a wildlife
18 conservation license must be affixed to or recorded on the
19 wildlife conservation license according to such rules as the
20 department may prescribe.

21 (3) Resident and nonresident wildlife conservation
22 licenses may be purchased for a fee of \$1 \$3 \$2.

23 (4) Licenses issued shall be void after April 30 next
24 succeeding their issuance."

25 Section 3. Section 87-2-301, MCA, is amended to read:

1 "87-2-301. Class A--resident fishing license. Any
 2 resident, as defined by 87-2-102, upon payment of a fee of
 3 ~~\$5 \$7.50 or, after April 30, 1983, a fee of \$10~~ \$6, shall
 4 receive a Class A license which shall entitle the holder
 5 thereof to fish with hook and line or rod as authorized by
 6 regulations of the department."

7 Section 4. Section 87-2-302, MCA, is amended to read:

8 "87-2-302. Class B--nonresident fishing license. Any
 9 person not a resident, as defined in 87-2-102, upon payment
 10 of the sum of \$20 ~~\$40~~ \$30 to any agent of the department
 11 authorized to issue fishing and hunting licenses, shall be
 12 entitled to a Class B license which shall entitle the holder
 13 thereof to fish with hook and line as authorized by the
 14 rules and regulations of the department."

15 Section 5. Section 87-2-304, MCA, is amended to read:

16 "87-2-304. Class B-4--~~one-day~~ two-day nonresident
 17 fishing license. Any person not a resident, as defined in
 18 87-2-102, who is a holder of a valid wildlife conservation
 19 license, upon payment of the sum of \$2 ~~\$4~~ \$4 to any agent of
 20 the department authorized to issue fishing and hunting
 21 licenses, shall be entitled to a ~~1-day~~ 2-day nonresident
 22 fishing license which shall authorize the holder to fish
 23 with hook and line as prescribed by rules and regulations of
 24 the department for ~~1~~ 2 calendar day days as indicated on the
 25 license."

1 NEW SECTION. Section 6. Paddlefish tags. The
 2 department may issue paddlefish tags to holders of valid
 3 Class A, Class B, and Class B-4 fishing licenses for a fee
 4 of \$5 ~~\$3~~. Each tag authorizes the holder to fish with hook
 5 and line for paddlefish as prescribed by rules of the
 6 department.

7 Section 7. Section 87-2-401, MCA, is amended to read:

8 "87-2-401. Class A-1--resident game bird license.
 9 Except as otherwise provided, a resident, as defined by
 10 87-2-102, who is 12 years of age or older may, upon payment
 11 of a fee of \$4 ~~\$5 or, after April 30, 1983, a fee of \$6~~ \$4,
 12 receive a Class A-1 license which will entitle the holder to
 13 pursue, hunt, shoot, and kill game birds and possess the
 14 carcasses of game birds as authorized by department rules."

15 Section 8. Section 87-2-402, MCA, is amended to read:

16 "87-2-402. Class B-1--nonresident game bird license.
 17 Except as otherwise provided in this chapter, a person not a
 18 resident, as defined in 87-2-102, but who is 12 years of age
 19 or older, upon payment of a fee of \$30 ~~\$40~~ \$30 may receive a
 20 Class B-1 license which shall entitle the holder thereof to
 21 pursue, hunt, shoot, and kill game birds and possess the
 22 carcasses of game birds as authorized by department rules."

23 Section 9. Section 87-2-403, MCA, is amended to read:

24 "87-2-403. Wild turkey tags and fee. (1) The
 25 department may issue wild turkey tags to the holder of a

1 valid Class A-1 or Class B-1 license. Each tag shall entitle
2 the holder to pursue, hunt, shoot, and kill one wild turkey
3 and possess the carcass thereof, during such times and such
4 places as the department shall authorize an open season on
5 wild turkey.

6 (2) The fee for a wild turkey tag shall be \$2 ~~\$5~~ \$3.
7 Turkey tags shall be issued either by a drawing system or in
8 unlimited number as authorized by department rules."

9 Section 10. Section 87-2-501, MCA, is amended to read:

10 "87-2-501. Class A-3, A-4, A-5, A-6--resident deer,
11 elk, and bear licenses. Except as otherwise provided in this
12 chapter, a resident, as defined by 87-2-102, who will be 12
13 years of age or older prior to September 15 of the season
14 for which the license is issued may, upon payment of the
15 proper fee or fees, be entitled to purchase one each of the
16 following licenses which will entitle the holder to pursue,
17 hunt, shoot, and kill the game animal or animals authorized
18 by the license held and to possess the carcasses of those
19 game animals as authorized by department rules:

20 (1) Class A-3, deer A tag, \$7 ~~\$8 until-April-30-1983,~~
21 ~~then-\$10;~~

22 (2) Class A-4, deer B tag, \$5;

23 (3) Class A-5, elk tag, \$8 ~~\$10-until-April-30-1983,~~
24 ~~then-\$12~~ \$9;

25 (4) Class A-6, black or brown bear tag, \$6 ~~\$10~~ \$8."

1 Section 11. Section 87-2-505, MCA, is amended to read:

2 "87-2-505. Class B-10--nonresident big game
3 combination license. Except as otherwise provided in this
4 chapter, a person not a resident, as defined in 87-2-102,
5 but who will be 12 years of age or older prior to September
6 15 of the season for which the license is issued may, upon
7 payment of the fee of \$225 ~~\$300-or-after-April-30-1983,~~
8 ~~fee-of-\$325,~~ \$250 and subject to the limitations prescribed
9 by law and department regulation, apply to the fish and game
10 office, Helena, Montana, to purchase a B-10 nonresident big
11 game combination license which shall entitle the holder to
12 all the privileges of Class B, Class B-1, Class B-7, and
13 black bear licenses, and an elk tag. This license includes
14 the nonresident conservation license as prescribed in
15 87-2-202. Not more than ~~17,000~~ 15,000 Class B-10 licenses
16 may be sold in any one license year."

17 NEW SECTION. SECTION 12. CLASSES B-11 AND B-12
18 NONRESIDENT BIG GAME LICENSE. (1) EXCEPT AS OTHERWISE
19 PROVIDED IN THIS CHAPTER, A PERSON NOT A RESIDENT, AS
20 DEFINED IN 87-2-102, BUT WHO WILL BE 12 YEARS OF AGE OR
21 OLDER PRIOR TO SEPTEMBER 15 OF THE SEASON FOR WHICH THE
22 LICENSE IS ISSUED MAY UPON PAYMENT OF THE PROPER FEE OR
23 FEES, AND SUBJECT TO THE LIMITATIONS PRESCRIBED BY LAW AND
24 DEPARTMENT RULE, PURCHASE ONE EACH OF THE FOLLOWING
25 LICENSES:

(A) CLASS B-11 NONRESIDENT ELK LICENSE FOR \$150; AND

(B) CLASS B-12 NONRESIDENT DEER LICENSE FOR \$100.

(2) THE LICENSE FEES IN SUBSECTION (1) INCLUDE THE NONRESIDENT CONSERVATION LICENSE FEES FOR THE LICENSE PRESCRIBED IN 87-2-202.

(3) NOT MORE THAN 2,000 CLASS B-11 ELK TAGS OR MORE THAN 2,000 CLASS B-12 DEER TAGS MAY BE SOLD IN ANY ONE LICENSE YEAR.

(4) THE USE OF EITHER LICENSE SPECIFIED IN SUBSECTION (1) IS NOT RESTRICTED TO ANY ONE SPECIFIC AUTHORIZED HUNTING AREA IN MONTANA.

Section 13. Section 87-2-507, MCA, is amended to read:

"87-2-507. Class D-1--nonresident mountain lion license. Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who is 12 years of age or older, upon payment of a fee of ~~\$100~~ \$250 \$100 may receive a Class D-1 license which shall entitle the holder thereof to pursue, hunt, shoot, and kill mountain lion and possess the carcass thereof as authorized by department rules."

Section 14. Section 87-2-508, MCA, is amended to read:

"87-2-508. Class D-2--resident mountain lion license. Except as otherwise provided in this chapter, a person who is a resident, as defined in 87-2-102, and who is 12 years of age or older, upon payment of a fee of ~~\$5~~ \$25 \$5 may

receive a Class D-2 license which shall entitle the holder thereof to pursue, hunt, shoot, and kill mountain lion and possess the carcass thereof as authorized by department rules."

Section 15. Section 87-2-601, MCA, is amended to read:

"87-2-601. Class C--trapper's license. Except as otherwise provided in this chapter, a resident, as defined in 87-2-102, upon making application and payment of a fee of ~~\$10~~ \$25 \$10 to the department, may receive a Class C license which shall authorize the holder thereof to trap fur-bearing animals and hunt bobcat, wolverine, and Canada lynx within the state of Montana at such times and in such manner as may be lawful so to do under the laws of the state and the regulations of the department and at such places as may be designated in said license."

Section 16. Section 87-2-701, MCA, is amended to read:

"87-2-701. Special licenses. (1) Any applicant who will be 12 years of age or older prior to September 15 of the season for which the license is issued and is the holder of a resident wildlife conservation license or a nonresident wildlife conservation license may apply for a special license which, in the judgment of the department, is to be issued and shall pay the following fees therefor:

(a) moose--resident, ~~\$25~~ \$50 \$25; nonresident, ~~\$150~~ \$250 \$175;

1 (b) mountain goat--resident, ~~\$15~~ \$50 \$15; nonresident,
2 ~~\$150~~ \$250 \$175;

3 (c) mountain sheep--resident, ~~\$25~~ \$50 \$25;
4 nonresident, ~~\$150~~ \$250 \$175;

5 (d) antelope--resident, ~~\$5~~ \$10 \$5; nonresident, \$100;

6 (e) grizzly bear--resident, ~~\$25~~ \$50 \$25; nonresident,
7 ~~\$150~~ \$250 \$175;

8 (f) black or brown bear--nonresident, \$100.

9 (2) In the event a holder of a valid special grizzly
10 bear license kills a grizzly bear, he must purchase a trophy
11 license for a fee of \$25 within 10 days after date of kill.
12 Such trophy license shall authorize the holder to possess
13 and transport said trophy.

14 (3) Special licenses shall be issued in a manner
15 prescribed by the department."

16 Section 17. Section 87-2-702, MCA, is amended to read:

17 "87-2-702. Restrictions on special licenses. ~~{1}--A~~
18 ~~person--who--has--obtained--a--grizzly-bear--moose--mountain~~
19 ~~goat--or--mountain-sheep--license--is--not--eligible--to--apply--for~~
20 ~~another--such--license--for--the--next--succeeding--7--years--if--such~~
21 ~~person--has--killed--or--taken--an--animal--of--the--species--for~~
22 ~~which--the--special--license--was--issued--A--person--who--has~~
23 ~~obtained--a--grizzly-bear--moose--mountain-goat--or--mountain~~
24 ~~sheep--license--but--did--not--kill--or--take--an--animal--of--the~~
25 ~~species--for--which--the--special--license--was--issued--is--eligible~~

1 ~~to--apply--for--another--such--license--in--any--succeeding--year--if~~
2 ~~he--returns--his--unused--special--license--to--the--department~~
3 ~~before--or--at--the--time--application--is--made~~

4 ~~{2}{1}~~ A person who has received a special permit for
5 elk is not eligible to receive a second special permit for
6 this species of game animal during any license year.
7 However, in the event the number of applications received is
8 not equal to the number of game animals desired to be killed
9 by the department, reapplication may be made by those valid
10 license holders of the current year who may fall within
11 these limitations.

12 ~~{3}{2}~~ A person who has killed or taken any game
13 animal, except a deer or an antelope, during the current
14 license year is not permitted to receive a special license
15 under this chapter to hunt or kill a second game animal of
16 the same species."

17 Section 18. Section 87-2-705, MCA, is amended to read:

18 "87-2-705. Drawing for special elk permits. In the
19 event the number of valid applications for special elk
20 permits for a hunting district exceeds the quota set by the
21 department for the district, these permits shall be awarded
22 by a drawing. ~~Persons--making--valid--application--who--did--not~~
23 ~~receive--a--special--elk--permit--during--the--season--immediately~~
24 ~~preceding--the--drawing--shall--receive--first--preference--in--this~~
25 ~~drawing--for--first--second--and--third--choice--hunting~~

~~districts. The department shall provide for those persons making valid application for special elk permits a method of selecting first, second, and third choice hunting districts for any drawing held pursuant to this section. The department may promulgate the rules necessary to implement this section."~~

Section 19. Section 87-2-706, MCA, is amended to read:

"87-2-706. Drawing for special antelope licenses. In the event the number of valid applications for special antelope licenses for a hunting district exceeds the quota set by the department for the district, such licenses shall be awarded by a drawing. ~~Persons--making--valid--application who--did--not--receive--an--antelope--license--during--the--season immediately--preceding--the--drawing--shall--be--given--first preference--in--such--drawing--for--first,--second,--and--third choice--hunting--districts. The department shall provide for those persons making valid application for special antelope licenses a method of selecting first, second, and third choice hunting districts for any drawing held pursuant to this section. The department shall have the authority to promulgate such rules and regulations as are necessary to implement this section."~~

NEW SECTION. Section 20. Drawing fee. (1) When the department determines a drawing is necessary prior to issuance of hunting licenses for any game species during a

hunting season, it shall collect a \$5 drawing fee with each application submitted.

(2) This fee must be deposited in the earmarked revenue fund to the credit of the department as set forth in 87-1-601.

(3) The payment of a drawing fee confers no hunting rights or privileges.

(4) The commission may waive the provisions of subsection (1) when a drawing is required for a special season under 87-1-304.

Section 21. Section 87-2-711, MCA, is amended to read:

"87-2-711. Class AAA--sportsman's license. Any resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which the license is issued, upon payment of the sum of \$35 ~~\$40~~ \$35, shall be entitled to a sportsman's license which shall permit the holder to exercise all rights granted to holders of Class A, A-1, A-3, A-5, A-6, and resident conservation licenses as prescribed in 87-2-202. The department shall furnish each holder of a sportsman's license an appropriate decal."

Section 22. Section 87-2-805, MCA, is amended to read:

"87-2-805. Persons under fifteen years of age. (1) Minors under 15 years of age may fish for and take fish during the open season without a license. However, no

nonresident person under the age of 15 years may fish in or on any Montana waters without first having obtained a Class B, B-3, or B-4 fishing license unless the nonresident person under the age of 15 years is in the company of an adult in possession of a valid Montana fishing license. The limit of fish for the nonresident person and the accompanying adult combined may not exceed the limit for one adult as established by law or by rule of the department.

(2) Residents, as defined by 87-2-102, under the age of 15 years may purchase Class A-1, A-3, and A-5 licenses at ~~42~~ 53 ~~52~~ per license."

Section 23. Section 87-2-903, MCA, is amended to read:

"87-2-903. Compensation and duties of agents. (1) License agents, except salaried employees of the department, shall receive for all services rendered the sum of ~~45~~ 30 cents for each license, permit, or certificate issued. On or before the 10th day of each month each license agent shall submit to the department all duplicates of each class of licenses sold during the preceding month and shall accompany the duplicate licenses with all moneys received for the sale of the licenses less a fee of ~~45~~ 30 cents for each license sold. Each license agent shall keep his license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.

(2) For purposes of this section, the term "license"

includes any license, permit, and certificate prescribed by the department."

Section 24. Section 87-5-204, MCA, is amended to read:

"87-5-204. License and rules for falconry. (1) The department may adopt specific rules for the keeping of records and for the trapping, taking, possession, or training of raptors used in the practice of falconry and may authorize the issuance of licenses to persons for the practice of falconry. It is unlawful for any person to possess a raptor or to train a raptor in the practice of falconry without a license.

(2) The fee for a falconry license is ~~43~~ 42.5 ~~53~~ a year or any part of a year. A license expires April 30 each year.

(3) A license may not be issued to a person under the age of 12 years.

(4) Licensees shall have in possession a valid falconer's license when engaged in the practice of falconry. In addition, falconers loosing raptors at game birds shall have in possession a valid resident or nonresident game bird license.

(5) Falconry licenses or permits are not transferable and may be revoked for due cause at any time by the department."

Section 25. Repealer. (1) Sections 87-2-703 and 87-2-721, MCA, are repealed effective May 1, 1981.

1 (2) Section 87-2-303, MCA, is repealed effective May
2 1, 1982.

3 Section 26. Codification instruction. (1) Section 6 is
4 intended to be codified as an integral part of Title 87,
5 chapter 2, part 3, and the provisions of Title 87 apply to
6 section 6.

7 (2) Section 19 is intended to be codified as an
8 integral part of Title 87, chapter 2, part 1, and the
9 provisions of Title 87 apply to section 19.

10 Section 27. Effective date. This act is effective as
11 follows:

12 (1) Sections 2 and 19 are effective May 1, 1981.

13 (2) Section 24 is effective as provided therein.

14 (3) Section 16 is effective July 1, 1980.

15 (4) Sections 17 and 18 are effective on passage and
16 approval of this act.

17 (5) All other sections are effective May 1, 1982.

-End-

1 HOUSE BILL NO. 200
 2 INTRODUCED BY ELLISON
 3 BY REQUEST OF
 4 THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
 5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE FUNDS
 7 AVAILABLE FOR MANAGEMENT OF THE STATE'S WILDLIFE RESOURCES
 8 BY INCREASING THE FEES FOR HUNTING, FISHING, TRAPPING, AND
 9 RELATED LICENSES AND PERMITS; REMOVING THE 7-YEAR KILL
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 11 PRIORITY STATUS FOR UNSUCCESSFUL SPECIAL ELK AND ANTELOPE
 12 LICENSE APPLICANTS; AMENDING SECTIONS 87-2-104, 87-2-202,
 13 87-2-301, 87-2-302, 87-2-304, ~~87-2-401--THROUGH~~ 87-2-403,
 14 87-2-501, 87-2-505, ~~87-2-507, 87-2-508, 87-2-601,~~ 87-2-701,
 15 87-2-702, 87-2-705, 87-2-706, ~~87-2-711, 87-2-805,~~ AND
 16 87-2-903, ~~AND 87-5-204,~~ MCA; REPEALING SECTIONS 87-2-303,
 17 87-2-703, AND 87-2-721, MCA; AND PROVIDING SEPARATE
 18 EFFECTIVE DATES."
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 20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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 23 license of any one class, except Class B-3 and B-4 licenses,
 24 shall be issued to any one person. The department may
 25 prescribe rules and regulations for the issuance or sale of

1 a replacement license of the same class in the event the
 2 original license is lost, stolen, or destroyed upon payment
 3 ~~of the sum of \$3--or--the--cost--of--the--original--license,~~
 4 ~~whichever is the smaller amount of the original price of the~~
 5 ~~lost, stolen, or destroyed license, not to exceed \$25 \$5."~~
 6 Section 2. Section 87-2-202, MCA, is amended to read:
 7 "87-2-202. Application -- stamp attachment -- fee --
 8 expiration. (1) A wildlife conservation license shall be
 9 sold upon written application. The application shall contain
 10 the applicant's name, age, occupation, place of residence,
 11 post-office address, and length of time in the state of
 12 Montana; state whether the applicant is a citizen of the
 13 United States or an alien; and be subscribed by the
 14 applicant. The applicant shall present a driver's license or
 15 other identification to substantiate the information.
 16 (2) Hunting, fishing, or trapping licenses in the form
 17 of tags or stamps issued to a holder of a wildlife
 18 conservation license must be affixed to or recorded on the
 19 wildlife conservation license according to such rules as the
 20 department may prescribe.
 21 (3) Resident and nonresident wildlife conservation
 22 licenses may be purchased for a fee of ~~\$1 \$3~~ \$2.
 23 (4) Licenses issued shall be void after April 30 next
 24 succeeding their issuance."
 25 Section 3. Section 87-2-301, MCA, is amended to read:

1 "87-2-301. Class A--resident fishing license. Any
2 resident, as defined by 87-2-102, upon payment of a fee of
3 ~~\$5 \$7.50 ory after April 30, 1983, a fee of \$10~~ \$6, shall
4 receive a Class A license which shall entitle the holder
5 thereof to fish with hook and line or rod as authorized by
6 regulations of the department."

7 Section 4. Section 87-2-302, MCA, is amended to read:

8 "87-2-302. Class B--nonresident fishing license. Any
9 person not a resident, as defined in 87-2-102, upon payment
10 of the sum of ~~\$20 \$40~~ \$30 to any agent of the department
11 authorized to issue fishing and hunting licenses, shall be
12 entitled to a Class B license which shall entitle the holder
13 thereof to fish with hook and line as authorized by the
14 rules and regulations of the department."

15 Section 5. Section 87-2-304, MCA, is amended to read:

16 "87-2-304. Class B-4--~~one-day~~ two-day nonresident
17 fishing license. Any person not a resident, as defined in
18 87-2-102, who is a holder of a valid wildlife conservation
19 license, upon payment of the sum of ~~\$2~~ \$4 to any agent of
20 the department authorized to issue fishing and hunting
21 licenses, shall be entitled to a ~~1-day~~ 2-day nonresident
22 fishing license which shall authorize the holder to fish
23 with hook and line as prescribed by rules and regulations of
24 the department for ~~1~~ 2 calendar ~~day~~ days as indicated on the
25 license."

1 NEW SECTION. Section 6. Paddlefish tags. The
2 department may issue paddlefish tags to holders of valid
3 Class A, Class B, and Class B-4 fishing licenses for a fee
4 of \$5 ~~\$3~~. Each tag authorizes the holder to fish with hook
5 and line for paddlefish as prescribed by rules of the
6 department.

7 Section 7. Section 87-2-401, MCA, is amended to read:

8 "87-2-401. Class A-1--resident game bird license.
9 Except as otherwise provided, a resident, as defined by
10 87-2-102, who is 12 years of age or older may, upon payment
11 of a fee of ~~\$4 \$5 ory after April 30, 1983, a fee of \$6~~ \$4,
12 receive a Class A-1 license which will entitle the holder to
13 pursue, hunt, shoot, and kill game birds and possess the
14 carcasses of game birds as authorized by department rules."

15 Section 8. Section 87-2-402, MCA, is amended to read:

16 "87-2-402. Class B-1--nonresident game bird license.
17 Except as otherwise provided in this chapter, a person not a
18 resident, as defined in 87-2-102, but who is 12 years of age
19 or older, upon payment of a fee of ~~\$30 \$40~~ \$30 may receive a
20 Class B-1 license which shall entitle the holder thereof to
21 pursue, hunt, shoot, and kill game birds and possess the
22 carcasses of game birds as authorized by department rules."

23 Section 9. Section 87-2-403, MCA, is amended to read:

24 "87-2-403. Wild turkey tags and fee. (1) The
25 department may issue wild turkey tags to the holder of a

1 valid Class A-1 or Class B-1 license. Each tag shall entitle
2 the holder to pursue, hunt, shoot, and kill one wild turkey
3 and possess the carcass thereof, during such times and such
4 places as the department shall authorize an open season on
5 wild turkey.

6 (2) The fee for a wild turkey tag shall be \$2 ~~\$5~~ \$3.
7 Turkey tags shall be issued either by a drawing system or in
8 unlimited number as authorized by department rules."

9 Section 10. Section 87-2-501, MCA, is amended to read:

10 "87-2-501. Class A-3, A-4, A-5, A-6--resident deer,
11 elk, and bear licenses. Except as otherwise provided in this
12 chapter, a resident, as defined by 87-2-102, who will be 12
13 years of age or older prior to September 15 of the season
14 for which the license is issued may, upon payment of the
15 proper fee or fees, be entitled to purchase one each of the
16 following licenses which will entitle the holder to pursue,
17 hunt, shoot, and kill the game animal or animals authorized
18 by the license held and to possess the carcasses of those
19 game animals as authorized by department rules:

20 (1) Class A-3, deer A tag, \$7 ~~\$8~~ untill April 30, 1983,
21 then \$10;

22 (2) Class A-4, deer B tag, \$5;

23 (3) Class A-5, elk tag, \$8 ~~\$10~~ untill April 30, 1983,
24 then \$12 \$9;

25 (4) Class A-6, black or brown bear tag, \$6 ~~\$10~~ \$8."

1 Section 11. Section 87-2-505, MCA, is amended to read:

2 "87-2-505. Class B-10--nonresident big game
3 combination license. Except as otherwise provided in this
4 chapter, a person not a resident, as defined in 87-2-102,
5 but who will be 12 years of age or older prior to September
6 15 of the season for which the license is issued may, upon
7 payment of the fee of ~~\$225 \$300~~ or after April 30, 1983, a
8 fee of \$325, \$250 and subject to the limitations prescribed
9 by law and department regulation, apply to the fish and game
10 office, Helena, Montana, to purchase a B-10 nonresident big
11 game combination license which shall entitle the holder to
12 all the privileges of Class B, Class B-1, Class B-7, and
13 black bear licenses, and an elk tag. This license includes
14 the nonresident conservation license as prescribed in
15 87-2-202. Not more than ~~17,000~~ 15,000 17,000 Class B-10
16 licenses may be sold in any one license year."

17 NEW SECTION--SECTION 12--CLASSES--B-11--AND--B-12
18 NONRESIDENT-BIG-GAME--LICENSE--(1)--EXCEPT--AS--OTHERWISE
19 PROVIDED--IN--THIS--CHAPTER--A--PERSON--NOT--A--RESIDENT--AS
20 DEFINED--IN--87-2-102--BUT--WHO--WILL--BE--12--YEARS--OF--AGE--OR
21 OLDER--PRIOR--TO--SEPTEMBER--15--OF--THE--SEASON--FOR--WHICH--THE
22 LICENSE--IS--ISSUED--MAY--UPON--PAYMENT--OF--THE--PROPER--FEE--OR
23 FEES--AND--SUBJECT--TO--THE--LIMITATIONS--PRESCRIBED--BY--LAW--AND
24 DEPARTMENT--RULE--PURCHASE--ONE--EACH--OF--THE--FOLLOWING
25 LICENSES:

~~(A)--CLASS--B-11--NONRESIDENT-ELK-LICENSE-FOR-\$150--AND~~
~~(B)--CLASS--B-12--NONRESIDENT-DEER-LICENSE-FOR-\$100.~~
~~(2)--THE-LICENSE-FEES-IN-SUBSECTION--(1)--INCLUDE--THE~~
~~NONRESIDENT--CONSERVATION--LICENSE--FEES--FOR--THE--LICENSE~~
~~PREScribed--IN--87-2-202.~~
~~(3)--NOT-MORE-THAN-2,000-CLASS-B-11-ELK-TAGS--OR--MORE~~
~~THAN--2,000--CLASS--B-12--DEER--TAGS--MAY-BE-SOLD-IN-ANY-ONE~~
~~LICENSE-YEAR.~~
~~(4)--THE-USE-OF-EITHER-LICENSE-SPECIFIED-IN--SUBSECTION~~
~~(1)--IS-NOT-RESTRICTED-TO-ANY-ONE-SPECIFIC-AUTHORIZED-HUNTING~~
~~AREA--IN-MONTANA.~~

Section 12. Section 87-2-507, MCA, is amended to read:
 "87-2-507. Class D-1--nonresident mountain lion
 license. Except as otherwise provided in this chapter, a
 person not a resident, as defined in 87-2-102, but who is 12
 years of age or older, upon payment of a fee of \$100 ~~\$250~~
~~\$100~~ may receive a Class D-1 license which shall entitle the
 holder thereof to pursue, hunt, shoot, and kill mountain
 lion and possess the carcass thereof as authorized by
 department rules."

Section 13. Section 87-2-508, MCA, is amended to read:
 "87-2-508. Class D-2--resident mountain lion license.
 Except as otherwise provided in this chapter, a person who
 is a resident, as defined in 87-2-102, and who is 12 years
 of age or older, upon payment of a fee of \$5 ~~\$25~~ ~~\$5~~ may

receive a Class D-2 license which shall entitle the holder
 thereof to pursue, hunt, shoot, and kill mountain lion and
 possess the carcass thereof as authorized by department
 rules."

Section 14. Section 87-2-601, MCA, is amended to read:
 "87-2-601. Class C--trapper's license. Except as
 otherwise provided in this chapter, a resident, as defined
 in 87-2-102, upon making application and payment of a fee of
~~\$10~~ ~~\$25~~ ~~\$10~~ to the department, may receive a Class C license
 which shall authorize the holder thereof to trap fur-bearing
 animals and hunt bobcat, wolverine, and Canada lynx within
 the state of Montana at such times and in such manner as may
 be lawful so to do under the laws of the state and the
 regulations of the department and at such places as may be
 designated in said license."

Section 15. Section 87-2-701, MCA, is amended to read:
 "87-2-701. Special licenses. (1) Any applicant who
 will be 12 years of age or older prior to September 15 of
 the season for which the license is issued and is the holder
 of a resident wildlife conservation license or a nonresident
 wildlife conservation license may apply for a special
 license which, in the judgment of the department, is to be
 issued and shall pay the following fees therefor:

(a) moose--resident, ~~\$25~~ ~~\$50~~ ~~\$25~~; nonresident, ~~\$150~~
~~\$250~~ ~~\$175~~;

(b) mountain goat--resident, ~~\$15~~ ~~\$50~~ \$15; nonresident,
~~\$150~~ ~~\$250~~ \$175;

(c) mountain sheep--resident, ~~\$25~~ ~~\$50~~ \$25;
 nonresident, ~~\$150~~ ~~\$250~~ \$175;

(d) antelope--resident, ~~\$5~~ ~~\$10~~ \$5; nonresident, \$100;

(e) grizzly bear--resident, ~~\$25~~ ~~\$50~~ \$25; nonresident,
~~\$150~~ ~~\$250~~ \$175;

(f) black or brown bear--nonresident, \$100.

(2) In the event a holder of a valid special grizzly bear license kills a grizzly bear, he must purchase a trophy license for a fee of \$25 within 10 days after date of kill. Such trophy license shall authorize the holder to possess and transport said trophy.

(3) Special licenses shall be issued in a manner prescribed by the department."

Section 16. Section 87-2-702, MCA, is amended to read:

"87-2-702. Restrictions on special licenses. ~~††--A person who has obtained a grizzly bear, moose, mountain goat, or mountain sheep license is not eligible to apply for another such license for the next succeeding 7 years if such person has killed or taken an animal of the species for which the special license was issued. A person who has obtained a grizzly bear, moose, mountain goat, or mountain sheep license but did not kill or take an animal of the species for which the special license was issued is eligible~~

~~to apply for another such license in any succeeding year if he returns his unused special license to the department before or at the time application is made.~~

~~††(1)~~ A person who has received a special permit for elk is not eligible to receive a second special permit for this species of game animal during any license year. However, in the event the number of applications received is not equal to the number of game animals desired to be killed by the department, reapplication may be made by those valid license holders of the current year who may fall within these limitations.

~~††(2)~~ A person who has killed or taken any game animal, except a deer or an antelope, during the current license year is not permitted to receive a special license under this chapter to hunt or kill a second game animal of the same species."

Section 17. Section 87-2-705, MCA, is amended to read:

"87-2-705. Drawing for special elk permits. In the event the number of valid applications for special elk permits for a hunting district exceeds the quota set by the department for the district, these permits shall be awarded by a drawing. ~~Persons making valid application who did not receive a special elk permit during the season immediately preceding the drawing shall receive first preference in this drawing for first, second, and third choice hunting~~

1 ~~districts. The department shall provide for those persons~~
 2 ~~making valid application for special elk permits a method of~~
 3 ~~selecting first, second, and third choice hunting districts~~
 4 ~~for any drawing held pursuant to this section. The~~
 5 department may promulgate the rules necessary to implement
 6 this section."

7 Section 18. Section 87-2-706, MCA, is amended to read:

8 "87-2-706. Drawing for special antelope licenses. In
 9 the event the number of valid applications for special
 10 antelope licenses for a hunting district exceeds the quota
 11 set by the department for the district, such licenses shall
 12 be awarded by a drawing. Persons--making--valid--application
 13 who--did--not--receive--an--antelope--license--during--the--season
 14 immediately--preceding--the--drawing--shall--be--given--first
 15 preference--in--such--drawing--for--first, second, and third
 16 choice hunting districts. The department shall provide for
 17 those persons making valid application for special antelope
 18 licenses a method of selecting first, second, and third
 19 choice hunting districts for any drawing held pursuant to
 20 this section. The department shall have the authority to
 21 promulgate such rules and regulations as are necessary to
 22 implement this section."

23 NEW SECTION. Section 19. Drawing fee. (1) When the
 24 department determines a drawing is necessary prior to
 25 issuance of hunting licenses for any game species during a

1 hunting season, it shall collect a \$5 drawing fee with each
 2 application submitted.

3 (2) This fee must be deposited in the earmarked
 4 revenue fund to the credit of the department as set forth in
 5 87-1-601.

6 (3) The payment of a drawing fee confers no hunting
 7 rights or privileges.

8 (4) The commission may waive the provisions of
 9 subsection (1) when a drawing is required for a special
 10 season under 87-1-304.

11 Section 20. Section 87-2-711, MCA, is amended to read:

12 "87-2-711. Class AAA--sportsman's license. Any
 13 resident, as defined by 87-2-102, who will be 12 years of
 14 age or older prior to September 15 of the season for which
 15 the license is issued, upon payment of the sum of \$35 ~~\$40~~
 16 ~~\$35~~, shall be entitled to a sportsman's license which shall
 17 permit the holder to exercise all rights granted to holders
 18 of Class A, A-1, A-3, A-5, A-6, and resident conservation
 19 licenses as prescribed in 87-2-202. The department shall
 20 furnish each holder of a sportsman's license an appropriate
 21 decal."

22 Section 21. Section 87-2-805, MCA, is amended to read:

23 "87-2-805. Persons under fifteen years of age. (1)
 24 Minors under 15 years of age may fish for and take fish
 25 during the open season without a license. However, no

nonresident person under the age of 15 years may fish in or on any Montana waters without first having obtained a Class B, B-3, or B-4 fishing license unless the nonresident person under the age of 15 years is in the company of an adult in possession of a valid Montana fishing license. The limit of fish for the nonresident person and the accompanying adult combined may not exceed the limit for one adult as established by law or by rule of the department.

(2) Residents, as defined by 87-2-102, under the age of 15 years may purchase Class A-1, A-3, and A-5 licenses at ~~\$2 \$3~~ \$2 per license."

Section 22. Section 87-2-903, MCA, is amended to read:

"87-2-903. Compensation and duties of agents. (1) License agents, except salaried employees of the department, shall receive for all services rendered the sum of ~~\$5~~ \$30 cents for each license, permit, or certificate issued. On or before the 10th day of each month each license agent shall submit to the department all duplicates of each class of licenses sold during the preceding month and shall accompany the duplicate licenses with all moneys received for the sale of the licenses less a fee of ~~\$5~~ \$30 cents for each license sold. Each license agent shall keep his license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.

(2) For purposes of this section, the term "license"

includes any license, permit, and certificate prescribed by the department."

Section 23. Section 87-5-204, MCA, is amended to read:

"87-5-204. License and rules for falconry. (1) The department may adopt specific rules for the keeping of records and for the trapping, taking, possession, or training of raptors used in the practice of falconry and may authorize the issuance of licenses to persons for the practice of falconry. It is unlawful for any person to possess a raptor or to train a raptor in the practice of falconry without a license.

(2) The fee for a falconry license is ~~\$3~~ \$25 \$3 a year or any part of a year. A license expires April 30 each year.

(3) A license may not be issued to a person under the age of 12 years.

(4) Licensees shall have in possession a valid falconer's license when engaged in the practice of falconry. In addition, falconers loosing raptors at game birds shall have in possession a valid resident or nonresident game bird license.

(5) Falconry licenses or permits are not transferable and may be revoked for due cause at any time by the department."

Section 24. Repealer. (1) Sections 87-2-703 and 87-2-721, MCA, are repealed effective May 1, 1981.

1 (2) Section 87-2-303, MCA, is repealed effective May
2 1, 1982.

3 Section 25. Codification instruction. (1) Section 6 is
4 intended to be codified as an integral part of Title 87,
5 chapter 2, part 3, and the provisions of Title 87 apply to
6 section 6.

7 (2) Section 19 is intended to be codified as an
8 integral part of Title 87, chapter 2, part 1, and the
9 provisions of Title 87 apply to section 19.

10 Section 26. Effective date. This act is effective as
11 follows:

12 (1) Sections 2 and 19 are effective May 1, 1981.

13 (2) Section 24 is effective as provided therein.

14 (3) Section 16 is effective July 1, ~~1980~~ 1981.

15 (4) Sections 17 and 18 are effective on passage and
16 approval of this act.

17 (5) All other sections are effective May 1, 1982.

-End-

HOUSE BILL NO. 200

INTRODUCED BY ELLISON

BY REQUEST OF

THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE FUNDS AVAILABLE FOR MANAGEMENT OF THE STATE'S WILDLIFE RESOURCES BY INCREASING THE FEES FOR HUNTING, FISHING, TRAPPING, AND RELATED LICENSES AND PERMITS; REMOVING THE 7-YEAR KILL LIMITATION ON CERTAIN GAME ANIMALS; AND REMOVING THE PRIORITY STATUS FOR UNSUCCESSFUL SPECIAL ELK AND ANTELOPE LICENSE APPLICANTS; AMENDING SECTIONS 87-2-104, 87-2-202, 87-2-301, 87-2-302, 87-2-304, 87-2-401, 87-2-403, 87-2-501, 87-2-505, 87-2-507, 87-2-508, 87-2-601, 87-2-701, 87-2-702, 87-2-705, 87-2-706, 87-2-711, 87-2-805, AND 87-2-903, AND 87-5-204, MCA; REPEALING SECTIONS 87-2-303, 87-2-703, AND 87-2-721, MCA; AND PROVIDING SEPARATE EFFECTIVE DATES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 87-2-104, MCA, is amended to read:

"87-2-104. Number of licenses allowed. Only one license of any one class, except Class B-3 and B-4 licenses, shall be issued to any one person. The department may prescribe rules and regulations for the issuance or sale of

a replacement license of the same class in the event the original license is lost, stolen, or destroyed upon payment of the sum of \$3 or the cost of the original license, whichever is the smaller amount of the original price of the lost, stolen, or destroyed license, not to exceed \$25 \$5."

Section 2. Section 87-2-202, MCA, is amended to read:

"87-2-202. Application -- stamp attachment -- fee -- expiration. (1) A wildlife conservation license shall be sold upon written application. The application shall contain the applicant's name, age, occupation, place of residence, post-office address, and length of time in the state of Montana; state whether the applicant is a citizen of the United States or an alien; and be subscribed by the applicant. The applicant shall present a driver's license or other identification to substantiate the information.

(2) Hunting, fishing, or trapping licenses in the form of tags or stamps issued to a holder of a wildlife conservation license must be affixed to or recorded on the wildlife conservation license according to such rules as the department may prescribe.

(3) Resident and nonresident wildlife conservation licenses may be purchased for a fee of \$1 \$3 \$2 \$3.

(4) Licenses issued shall be void after April 30 next succeeding their issuance."

Section 3. Section 87-2-301, MCA, is amended to read:

1 "87-2-301. Class A--resident fishing license. Any
2 resident, as defined by 87-2-102, upon payment of a fee of
3 ~~\$5 \$7.50 or, after April 30, 1983, a fee of \$10~~ ~~\$6~~ ~~\$7~~ ~~\$6~~,
4 shall receive a Class A license which shall entitle the
5 holder thereof to fish with hook and line or rod as
6 authorized by regulations of the department."

7 Section 4. Section 87-2-302, MCA, is amended to read:

8 "87-2-302. Class B--nonresident fishing license. Any
9 person not a resident, as defined in 87-2-102, upon payment
10 of the sum of ~~\$20~~ ~~\$40~~ ~~\$30~~ to any agent of the department
11 authorized to issue fishing and hunting licenses, shall be
12 entitled to a Class B license which shall entitle the holder
13 thereof to fish with hook and line as authorized by the
14 rules and regulations of the department."

15 Section 5. Section 87-2-304, MCA, is amended to read:

16 "87-2-304. Class B-4--~~one-day~~ two-day nonresident
17 fishing license. Any person not a resident, as defined in
18 87-2-102, who is a holder of a valid wildlife conservation
19 license, upon payment of the sum of ~~\$2~~ ~~\$4~~ to any agent of
20 the department authorized to issue fishing and hunting
21 licenses, shall be entitled to a ~~1-day~~ 2-day nonresident
22 fishing license which shall authorize the holder to fish
23 with hook and line as prescribed by rules and regulations of
24 the department for ~~1~~ 2 calendar ~~day~~ days as indicated on the
25 license."

1 NEW SECTION. Section 6. Paddlefish tags. The
2 department may issue paddlefish tags to holders of valid
3 Class A, Class B, and Class B-4 fishing licenses for a fee
4 of ~~\$5~~ ~~\$3~~. Each tag authorizes the holder to fish with hook
5 and line for paddlefish as prescribed by rules of the
6 department.

7 ~~Section 7. Section 87-2-401, MCA, is amended to read:~~

8 ~~"87-2-401. Class A-1--resident game bird license.~~
9 ~~Except as otherwise provided, a resident, as defined by~~
10 ~~87-2-102, who is 12 years of age or older, may, upon payment~~
11 ~~of a fee of \$4 \$5 or, after April 30, 1983, a fee of \$6 \$4,~~
12 ~~receive a Class A-1 license which will entitle the holder to~~
13 ~~pursue, hunt, shoot, and kill game birds and possess the~~
14 ~~carcasses of game birds as authorized by department rules."~~

15 ~~Section 8. Section 87-2-402, MCA, is amended to read:~~

16 ~~"87-2-402. Class B-1--nonresident game bird license.~~
17 ~~Except as otherwise provided in this chapter, a person not a~~
18 ~~resident, as defined in 87-2-102, but who is 12 years of age~~
19 ~~or older, upon payment of a fee of \$30 \$40 \$38 may receive a~~
20 ~~Class B-1 license which shall entitle the holder thereof to~~
21 ~~pursue, hunt, shoot, and kill game birds and possess the~~
22 ~~carcasses of game birds as authorized by department rules."~~

23 Section 7. Section 87-2-403, MCA, is amended to read:

24 "87-2-403. Wild turkey tags and fee. (1) The
25 department may issue wild turkey tags to the holder of a

1 valid Class A-1 or Class B-1 license. Each tag shall entitle
2 the holder to pursue, hunt, shoot, and kill one wild turkey
3 and possess the carcass thereof, during such times and such
4 places as the department shall authorize an open season on
5 wild turkey.

6 (2) The fee for a wild turkey tag shall be \$2 ~~\$5~~ ~~\$3~~.
7 Turkey tags shall be issued either by a drawing system or in
8 unlimited number as authorized by department rules."

9 Section 8. Section 87-2-501, MCA, is amended to read:

10 "87-2-501. Class A-3, A-4, A-5, A-6--resident deer,
11 elk, and bear licenses. Except as otherwise provided in this
12 chapter, a resident, as defined by 87-2-102, who will be 12
13 years of age or older prior to September 15 of the season
14 for which the license is issued may, upon payment of the
15 proper fee or fees, be entitled to purchase one each of the
16 following licenses which will entitle the holder to pursue,
17 hunt, shoot, and kill the game animal or animals authorized
18 by the license held and to possess the carcasses of those
19 game animals as authorized by department rules:

20 (1) Class A-3, deer A tag, \$7 ~~\$8~~ ~~until April 30, 1983,~~
21 ~~then \$10;~~

22 (2) Class A-4, deer B tag, \$5;

23 (3) Class A-5, elk tag, \$8 ~~\$10~~ ~~until April 30, 1983,~~
24 ~~then \$12~~ \$9;

25 (4) Class A-6, black or brown bear tag, \$6 ~~\$10~~ \$8."

1 Section 9. Section 87-2-505, MCA, is amended to read:

2 "87-2-505. Class B-10--nonresident big game
3 combination license. Except as otherwise provided in this
4 chapter, a person not a resident, as defined in 87-2-102,
5 but who will be 12 years of age or older prior to September
6 15 of the season for which the license is issued may, upon
7 payment of the fee of \$225 ~~\$300~~ ~~or, after April 30, 1983, a~~
8 ~~fee of \$325,~~ ~~\$250~~ ~~\$275~~ and subject to the limitations
9 prescribed by law and department regulation, apply to the
10 fish and game office, Helena, Montana, to purchase a B-10
11 nonresident big game combination license which shall entitle
12 the holder to all the privileges of Class B, Class B-1,
13 Class B-7, and black bear licenses, and an elk tag. This
14 license includes the nonresident conservation license as
15 prescribed in 87-2-202. Not more than ~~17,000~~ ~~15,000~~ ~~17,000~~
16 Class B-10 licenses may be sold in any one license year."

17 ~~NEW SECTION--SECTION 12--CLASSES--B-11--AND--B-12~~
18 ~~NONRESIDENT-BIG-GAME--LICENSE--(1)--EXCEPT--AS--OTHERWISE~~
19 ~~PROVIDED--IN--THIS--CHAPTER--A--PERSON--NOT--A--RESIDENT--AS~~
20 ~~DEFINED--IN--87-2-102--BUT--WHO--WILL--BE--12--YEARS--OF--AGE--OR~~
21 ~~OLDER--PRIOR--TO--SEPTEMBER--15--OF--THE--SEASON--FOR--WHICH--THE~~
22 ~~LICENSE--IS--ISSUED--MAY--UPON--PAYMENT--OF--THE--PROPER--FEE--OR~~
23 ~~FEES--AND--SUBJECT--TO--THE--LIMITATIONS--PRESCRIBED--BY--LAW--AND~~
24 ~~DEPARTMENT--RULE--PURCHASE--ONE--EACH--OF--THE--FOLLOWING~~
25 ~~LICENSES:~~

1 ~~(A) CLASS-B-11-NONRESIDENT-ELK-LICENSE-FOR-\$150-AND~~
 2 ~~(B) CLASS-B-12-NONRESIDENT-DEER-LICENSE-FOR-\$100~~
 3 ~~(2) THE LICENSE FEES IN SUBSECTION (1) INCLUDE THE~~
 4 ~~NONRESIDENT CONSERVATION LICENSE FEES FOR THE LICENSE~~
 5 ~~PRESERVED IN 87-2-202~~
 6 ~~(3) NOT MORE THAN 2,000 CLASS-B-11-ELK-TAGS OR MORE~~
 7 ~~THAN 2,000 CLASS-B-12-DEER-TAGS MAY BE SOLD IN ANY ONE~~
 8 ~~LICENSE YEAR~~
 9 ~~(4) THE USE OF EITHER LICENSE SPECIFIED IN SUBSECTION~~
 10 ~~(1) IS NOT RESTRICTED TO ANY ONE SPECIFIC AUTHORIZED HUNTING~~
 11 ~~AREA IN MONTANA~~
 12 Section 12. Section 87-2-507, MCA, is amended to read:
 13 "87-2-507. Class--B-1--nonresident--mountain--tion
 14 license. Except as otherwise provided in this chapter, a
 15 person not a resident, as defined in 87-2-102, but who is 12
 16 years of age or older, upon payment of a fee of \$100 \$250
 17 \$100 may receive a Class-B-1 license which shall entitle the
 18 holder thereof to pursue, hunt, shoot, and kill mountain
 19 lion and possess the carcass thereof as authorized by
 20 department rules."
 21 Section 13. Section 87-2-508, MCA, is amended to read:
 22 "87-2-508. Class-B-2--resident-mountain-tion--license.
 23 Except as otherwise provided in this chapter, a person who
 24 is a resident, as defined in 87-2-102, and who is 12 years
 25 of age or older, upon payment of a fee of \$5 \$25 \$5 may

1 receive a Class-B-2 license which shall entitle the holder
 2 thereof to pursue, hunt, shoot, and kill mountain lion and
 3 possess the carcass thereof as authorized by department
 4 rules."
 5 Section 14. Section 87-2-601, MCA, is amended to read:
 6 "87-2-601. Class--C--trapper's--license. Except as
 7 otherwise provided in this chapter, a resident, as defined
 8 in 87-2-102, upon making application and payment of a fee of
 9 \$10 \$25 \$10 to the department, may receive a Class-C license
 10 which shall authorize the holder thereof to trap fur-bearing
 11 animals and hunt bobcat, wolverine, and Canada lynx within
 12 the state of Montana at such times and in such manner as may
 13 be lawful so to do under the laws of the state and the
 14 regulations of the department and at such places as may be
 15 designated in said license."
 16 Section 10. Section 87-2-701, MCA, is amended to read:
 17 "87-2-701. Special licenses. (1) Any applicant who
 18 will be 12 years of age or older prior to September 15 of
 19 the season for which the license is issued and is the holder
 20 of a resident wildlife conservation license or a nonresident
 21 wildlife conservation license may apply for a special
 22 license which, in the judgment of the department, is to be
 23 issued and shall pay the following fees therefor:
 24 (a) moose--resident, \$25 \$50 \$25; nonresident, \$150
 25 \$250 \$175;

1 (b) mountain goat--resident, ~~\$15~~ ~~\$50~~ \$15; nonresident,
2 ~~\$150~~ ~~\$250~~ \$175;

3 (c) mountain sheep--resident, ~~\$25~~ ~~\$50~~ \$25;
4 nonresident, ~~\$150~~ ~~\$250~~ \$175;

5 (d) antelope--resident, ~~\$5~~ ~~\$10~~ \$5; nonresident, \$100;

6 (e) grizzly bear--resident, ~~\$25~~ ~~\$50~~ \$25; nonresident,
7 ~~\$150~~ ~~\$250~~ \$175;

8 (f) black or brown bear--nonresident, \$100.

9 (2) In the event a holder of a valid special grizzly
10 bear license kills a grizzly bear, he must purchase a trophy
11 license for a fee of \$25 within 10 days after date of kill.
12 Such trophy license shall authorize the holder to possess
13 and transport said trophy.

14 (3) Special licenses shall be issued in a manner
15 prescribed by the department."

16 Section 11. Section 87-2-702, MCA, is amended to read:

17 "87-2-702. Restrictions on special licenses. ~~{1}-A~~
18 ~~person--who--has--obtained--a--grizzly-bear--moose--mountain~~
19 ~~goat--or--mountain-sheep--license--is--not--eligible--to--apply--for~~
20 ~~another--such--license--for--the--next--succeeding--7--years--if--such~~
21 ~~person--has--killed--or--taken--an--animal--of--the--species--for~~
22 ~~which--the--special--license--was--issued--A--person--who--has~~
23 ~~obtained--a--grizzly-bear--moose--mountain-goat--or--mountain~~
24 ~~sheep--license--but--did--not--kill--or--take--an--animal--of--the~~
25 ~~species--for--which--the--special--license--was--issued--is--eligible~~

1 ~~to--apply--for--another--such--license--in--any--succeeding--year--if~~
2 ~~he--returns--his--unused--special--license--to--the--department~~
3 ~~before--or--at--the--time--application--is--made~~

4 ~~{2}{1}~~ A person who has received a special permit for
5 elk is not eligible to receive a second special permit for
6 this species of game animal during any license year.
7 However, in the event the number of applications received is
8 not equal to the number of game animals desired to be killed
9 by the department, reapplication may be made by those valid
10 license holders of the current year who may fall within
11 these limitations.

12 ~~{3}{2}~~ A person who has killed or taken any game
13 animal, except a deer or an antelope, during the current
14 license year is not permitted to receive a special license
15 under this chapter to hunt or kill a second game animal of
16 the same species."

17 Section 12. Section 87-2-705, MCA, is amended to read:

18 "87-2-705. Drawing for special elk permits. In the
19 event the number of valid applications for special elk
20 permits for a hunting district exceeds the quota set by the
21 department for the district, these permits shall be awarded
22 by a drawing. ~~Persons--making--valid--application--who--did--not~~
23 ~~receive--a--special--elk--permit--during--the--season--immediately~~
24 ~~preceding--the--drawing--shall--receive--first--preference--in--this~~
25 ~~drawing--for--first--second--and--third--choice--hunting~~

1 districts. The department shall provide for those persons
 2 making valid application for special elk permits a method of
 3 selecting first, second, and third choice hunting districts
 4 for any drawing held pursuant to this section. The
 5 department may promulgate the rules necessary to implement
 6 this section."

7 Section 13. Section 87-2-706, MCA, is amended to read:
 8 "87-2-706. Drawing for special antelope licenses. In
 9 the event the number of valid applications for special
 10 antelope licenses for a hunting district exceeds the quota
 11 set by the department for the district, such licenses shall
 12 be awarded by a drawing. Persons--making--valid--application
 13 who--did--not--receive--an--antelope--license--during--the--season
 14 immediately--preceding--the--drawing--shall--be--given--first
 15 preference--in--such--drawing--for--first,--second,--and--third
 16 choice hunting districts. The department shall provide for
 17 those persons making valid application for special antelope
 18 licenses a method of selecting first, second, and third
 19 choice hunting districts for any drawing held pursuant to
 20 this section. The department shall have the authority to
 21 promulgate such rules and regulations as are necessary to
 22 implement this section."

23 NEW SECTION. Section 14. Drawing fee. (1) When the
 24 department determines a drawing is necessary prior to
 25 issuance of hunting licenses for any game species during a

1 hunting season, it shall collect a \$5 drawing fee with each
 2 application submitted.

3 (2) This fee must be deposited in the earmarked
 4 revenue fund to the credit of the department as set forth in
 5 87-1-601.

6 (3) The payment of a drawing fee confers no hunting
 7 rights or privileges.

8 (4) The commission may waive the provisions of
 9 subsection (1) when a drawing is required for a special
 10 season under 87-1-304.

11 ~~Section 20. Section 87-2-711, MCA, is amended to read:~~
 12 ~~"87-2-711. Class--AAA--sportsman's--license--Any~~
 13 ~~resident--as--defined--by--87-2-102, who will be 12 years of~~
 14 ~~age or older prior to September 15 of the season--for--which~~
 15 ~~the--license--is--issued, upon payment of the sum of \$35 \$40~~
 16 ~~\$35, shall be entitled to a sportsman's license which shall~~
 17 ~~permit the holder to exercise all rights granted to holders~~
 18 ~~of Class A, A-1, A-3, A-5, A-6, and resident conservation~~
 19 ~~licenses--as--prescribed--in--87-2-202. The department shall~~
 20 ~~furnish each holder of a sportsman's license on appropriate~~
 21 ~~decay."~~

22 ~~Section 21. Section 87-2-805, MCA, is amended to read:~~
 23 ~~"87-2-805. Persons--under--fifteen--years--of--age--(1)~~
 24 ~~Minors under 15 years of age may fish--for--and--take--fish~~
 25 ~~during the open season without a license. However, no~~

1 nonresident person under the age of 15 years may fish in or
 2 on any Montana waters without first having obtained a Class
 3 B-3 or B-4 fishing license unless the nonresident person
 4 under the age of 15 years is in the company of an adult in
 5 possession of a valid Montana fishing license. The limit of
 6 fish for the nonresident person and the accompanying adult
 7 combined may not exceed the limit for one adult as
 8 established by law or by rule of the department.

9 {2} Residents, as defined by 87-2-102, under the age
 10 of 15 years may purchase Class A-1, A-3, and A-5 licenses at
 11 \$2 ~~\$3~~ \$2 per license."

12 Section 15. Section 87-2-903, MCA, is amended to read:

13 "87-2-903. Compensation and duties of agents. (1)
 14 License agents, except salaried employees of the department,
 15 shall receive for all services rendered the sum of ~~15~~ 30
 16 cents for each license, permit, or certificate issued. On or
 17 before the 10th day of each month each license agent shall
 18 submit to the department all duplicates of each class of
 19 licenses sold during the preceding month and shall accompany
 20 the duplicate licenses with all moneys received for the sale
 21 of the licenses less a fee of ~~15~~ 30 cents for each license
 22 sold. Each license agent shall keep his license account open
 23 at all reasonable hours to inspection by the department, the
 24 director, the wardens, or the legislative auditor.

25 {2} For purposes of this section, the term "license"

1 includes any license, permit, and certificate prescribed by
 2 the department."

3 Section 23. Section 87-5-204, MCA, is amended to read:

4 "87-5-204. License and rules for falconry. (1) The
 5 department may adopt specific rules for the keeping of
 6 records and for the trapping, taking, possession, or
 7 training of raptors used in the practice of falconry and may
 8 authorize the issuance of licenses to persons for the
 9 practice of falconry. It is unlawful for any person to
 10 possess a raptor or to train a raptor in the practice of
 11 falconry without a license.

12 {2} The fee for a falconry license is \$3 ~~\$25~~ \$3 a year
 13 or any part of a year. A license expires April 30 each year.

14 {3} A license may not be issued to a person under the
 15 age of 12 years.

16 {4} Licensees shall have in possession a valid
 17 falconer's license when engaged in the practice of falconry.
 18 In addition, falconers looting raptors at game birds shall
 19 have in possession a valid resident or nonresident game bird
 20 license.

21 {5} Falconry licenses or permits are not transferable
 22 and may be revoked for due cause at any time by the
 23 department."

24 Section 16. Repealer. (1) Sections 87-2-703 and
 25 87-2-721, MCA, are repealed effective May 1, 1981.

1 (2) Section 87-2-303, MCA, is repealed effective May
2 1, 1982.

3 Section 17. Codification instruction. (1) Section 6 is
4 intended to be codified as an integral part of Title 87,
5 chapter 2, part 3, and the provisions of Title 87 apply to
6 section 6.

7 (2) Section ~~19~~ 14 is intended to be codified as an
8 integral part of Title 87, chapter 2, part 1, and the
9 provisions of Title 87 apply to section ~~19~~ 14.

10 Section 18. Effective date. This act is effective as
11 follows:

12 (1) Sections 2 and ~~19~~ 14 are effective May 1, 1981.

13 (2) Section ~~24~~ 16 is effective as provided therein.

14 (3) Section ~~16~~ 11 is effective July 1, ~~1980~~ 1981.

15 (4) Sections ~~17-and-18~~ 12 AND 13 are effective on
16 passage and approval of this act.

17 (5) All other sections are effective May 1, 1982.

-End-

1 nonresident person under the age of 15 years may fish in or
2 on any Montana waters without first having obtained a Class
3 B-3 or B-4 fishing license unless the nonresident person
4 under the age of 15 years is in the company of an adult in
5 possession of a valid Montana fishing license. The limit of
6 fish for the nonresident person and the accompanying adult
7 combined may not exceed the limit for one adult as
8 established by law or by rule of the department.

9 (2) Residents, as defined by 87-2-102, under the age
10 of 15 years may purchase Class A-1, A-3, and A-5 licenses at
11 \$2 \$3 \$2 per license.

12 Section 15. Section 87-2-903, MCA, is amended to read:

13 "87-2-903. Compensation and duties of agents. (1)
14 License agents, except salaried employees of the department,
15 shall receive for all services rendered the sum of \$5 30
16 cents for each license, permit, or certificate issued. On or
17 before the 10th day of each month each license agent shall
18 submit to the department all duplicates of each class of
19 licenses sold during the preceding month and shall accompany
20 the duplicate licenses with all moneys received for the sale
21 of the licenses less a fee of \$5 30 cents for each license
22 sold. Each license agent shall keep his license account open
23 at all reasonable hours to inspection by the department, the
24 director, the wardens, or the legislative auditor.

25 (2) For purposes of this section, the term "license"

1 includes any license, permit, and certificate prescribed by
2 the department."

3 Section 23. Section 87-5-204, MCA, is amended to read:

4 "87-5-204. License and rules for falconry. (1) The
5 department may adopt specific rules for the keeping of
6 records and for the trapping, taking, possession, or
7 training of raptors used in the practice of falconry and may
8 authorize the issuance of licenses to persons for the
9 practice of falconry. It is unlawful for any person to
10 possess a raptor or to train a raptor in the practice of
11 falconry without a license.

12 (2) The fee for a falconry license is \$3 \$25 \$3 a year
13 or any part of a year. A license expires April 30 each year.

14 (3) A license may not be issued to a person under the
15 age of 12 years.

16 (4) Licensees shall have in possession a valid
17 falconer's license when engaged in the practice of falconry.
18 In addition, falconers loosing raptors at game birds shall
19 have in possession a valid resident or nonresident game bird
20 license.

21 (5) Falconry licenses or permits are not transferable
22 and may be revoked for due cause at any time by the
23 department."

24 Section 16. Repealer. (1) Sections 87-2-703 and
25 87-2-721, MCA, are repealed effective May 1, 1981.

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1 (2) Section 87-2-303, MCA, is repealed effective May
2 1, 1982.

3 Section 17. Codification instruction. (1) Section 6 is
4 intended to be codified as an integral part of Title 87,
5 chapter 2, part 3, and the provisions of Title 87 apply to
6 section 6.

7 (2) Section ~~19~~ 14 is intended to be codified as an
8 integral part of Title 87, chapter 2, part 1, and the
9 provisions of Title 87 apply to section ~~19~~ 14.

10 Section 18. Effective date. This act is effective as
11 follows:

12 (1) Sections 2 and ~~19~~ 14 are effective May 1, 1981.

13 (2) Section ~~24~~ 16 is effective as provided therein.

14 (3) Section ~~16~~ 11 is effective July 1, ~~1980~~ 1981.

15 (4) Sections ~~17-and-18~~ 12 AND 13 are effective on
16 passage and approval of this act.

17 (5) All other sections are effective May 1, 1982.

-End-

HOUSE BILL NO. 200
INTRODUCED BY ELLISON

BY REQUEST OF

THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE FUNDS AVAILABLE FOR MANAGEMENT OF THE STATE'S WILDLIFE RESOURCES BY INCREASING THE FEES FOR HUNTING, FISHING, TRAPPING, AND RELATED LICENSES AND PERMITS; REMOVING THE 7-YEAR KILL LIMITATION ON CERTAIN GAME ANIMALS; AND REMOVING THE PRIORITY STATUS FOR UNSUCCESSFUL SPECIAL ELK AND ANTELOPE LICENSE APPLICANTS; AMENDING SECTIONS 87-2-104, 87-2-202, 87-2-301, 87-2-302, 87-2-304, 87-2-401, 87-2-403, 87-2-501, 87-2-505, 87-2-507, 87-2-508, 87-2-601, 87-2-701, 87-2-702, 87-2-705, 87-2-706, 87-2-711, 87-2-805, AND 87-2-903, AND 87-5-204, MCA; REPEALING SECTIONS 87-2-303, 87-2-703, AND 87-2-721, MCA; AND PROVIDING SEPARATE EFFECTIVE DATES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 87-2-104, MCA, is amended to read:

"87-2-104. Number of licenses allowed. Only one license of any one class, except Class B-3 and B-4 licenses, shall be issued to any one person. The department may prescribe rules and regulations for the issuance or sale of

a replacement license of the same class in the event the original license is lost, stolen, or destroyed upon payment of the sum of \$3--or--the--cost--of--the--original--license, whichever is the smaller amount of the original price of the lost, stolen, or destroyed license, not to exceed \$25 \$5."

Section 2. Section 87-2-202, MCA, is amended to read:

"87-2-202. Application -- stamp attachment -- fee -- expiration. (1) A wildlife conservation license shall be sold upon written application. The application shall contain the applicant's name, age, occupation, place of residence, post-office address, and length of time in the state of Montana; state whether the applicant is a citizen of the United States or an alien; and be subscribed by the applicant. The applicant shall present a driver's license or other identification to substantiate the information.

(2) Hunting, fishing, or trapping licenses in the form of tags or stamps issued to a holder of a wildlife conservation license must be affixed to or recorded on the wildlife conservation license according to such rules as the department may prescribe.

(3) Resident and nonresident wildlife conservation licenses may be purchased for a fee of \$1 \$3 \$2 \$3 \$2.

(4) Licenses issued shall be void after April 30 next succeeding their issuance."

Section 3. Section 87-2-301, MCA, is amended to read:

1 "87-2-301. Class A--resident fishing license. Any
 2 resident, as defined by 87-2-102, upon payment of a fee of
 3 ~~\$5 \$7.50 or, after April 30, 1983, a fee of \$10 \$6 \$7 \$6 \$7,~~
 shall receive a Class A license which shall entitle the
 5 holder thereof to fish with hook and line or rod as
 6 authorized by regulations of the department."

7 Section 4. Section 87-2-302, MCA, is amended to read:

8 "87-2-302. Class B--nonresident fishing license. Any
 9 person not a resident, as defined in 87-2-102, upon payment
 10 of the sum of \$20 ~~\$40 \$30~~ to any agent of the department
 11 authorized to issue fishing and hunting licenses, shall be
 12 entitled to a Class B license which shall entitle the holder
 13 thereof to fish with hook and line as authorized by the
 14 rules and regulations of the department."

15 Section 5. Section 87-2-304, MCA, is amended to read:

16 "87-2-304. Class B-4--~~one-day~~ two-day nonresident
 17 fishing license. Any person not a resident, as defined in
 18 87-2-102, who is a holder of a valid wildlife conservation
 19 license, upon payment of the sum of \$2 ~~\$4~~ to any agent of
 20 the department authorized to issue fishing and hunting
 21 licenses, shall be entitled to a ~~1-day~~ 2-day nonresident
 22 fishing license which shall authorize the holder to fish
 23 with hook and line as prescribed by rules and regulations of
 24 the department for ~~1~~ 2 calendar ~~day~~ days as indicated on the
 25 license."

1 NEW SECTION. Section 6. Paddlefish tags. The
 2 department may issue paddlefish tags to holders of valid
 3 Class A, Class B, and Class B-4 fishing licenses for a fee
 4 of \$5 ~~\$3~~. Each tag authorizes the holder to fish with hook
 5 and line for paddlefish as prescribed by rules of the
 6 department.

7 ~~Section 7. Section 87-2-401, MCA, is amended to read:~~

8 ~~"87-2-401. Class A-1--resident--game--bird--license.~~
 9 ~~Except--as--otherwise--provided,--a--resident,--as--defined--by~~
 10 ~~87-2-102,--who--is--12--years--of--age--or--older,--may,--upon--payment~~
 11 ~~of--a--fee--of--\$4 \$5--or,--after--April--30,--1983,--a--fee--of--\$6 \$7~~
 12 ~~receive--a--Class--A-1--license--which--will--entitle--the--holder--to~~
 13 ~~pursue,--hunt,--shoot,--and--kill--game--birds--and--possess--the~~
 14 ~~carcasses--of--game--birds--as--authorized--by--department--rules."~~

15 ~~Section 8. Section 87-2-402, MCA, is amended to read:~~

16 ~~"87-2-402. Class B-1--nonresident--game--bird--license.~~
 17 ~~Except--as--otherwise--provided--in--this--chapter,--a--person--not--a~~
 18 ~~resident,--as--defined--in--87-2-102,--but--who--is--12--years--of--age~~
 19 ~~or--older,--upon--payment--of--a--fee--of--\$30 \$40 \$30,--may--receive--a~~
 20 ~~Class--B-1--license--which--shall--entitle--the--holder--thereof--to~~
 21 ~~pursue,--hunt,--shoot,--and--kill--game--birds--and--possess--the~~
 22 ~~carcasses--of--game--birds--as--authorized--by--department--rules."~~

23 Section 7. Section 87-2-403, MCA, is amended to read:

24 "87-2-403. Wild turkey tags and fee. (1) The
 25 department may issue wild turkey tags to the holder of a

valid Class A-1 or Class B-1 license. Each tag shall entitle the holder to pursue, hunt, shoot, and kill one wild turkey and possess the carcass thereof, during such times and such places as the department shall authorize an open season on wild turkey.

(2) The fee for a wild turkey tag shall be ~~\$2~~ \$5 ~~\$3~~. Turkey tags shall be issued either by a drawing system or in unlimited number as authorized by department rules."

Section 8. Section 87-2-501, MCA, is amended to read:

"87-2-501. Class A-3, A-4, A-5, A-6--resident deer, elk, and bear licenses. Except as otherwise provided in this chapter, a resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of the proper fee or fees, be entitled to purchase one each of the following licenses which will entitle the holder to pursue, hunt, shoot, and kill the game animal or animals authorized by the license held and to possess the carcasses of those game animals as authorized by department rules:

(1) Class A-3, deer A tag, ~~\$7~~ \$8 ~~until April 30, 1983,~~
~~then \$10;~~

(2) Class A-4, deer B tag, \$5;

(3) Class A-5, elk tag, ~~\$8~~ \$10 ~~until April 30, 1983,~~
~~then \$12~~ \$9;

(4) Class A-6, black or brown bear tag, ~~\$6~~ \$10 \$3."

Section 9. Section 87-2-505, MCA, is amended to read:

"87-2-505. Class B-10--nonresident big game combination license. Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of the fee of ~~\$225~~ ~~\$300 or, after April 30, 1983, a~~
~~fee of--\$325,~~ \$250 \$275 and subject to the limitations prescribed by law and department regulation, apply to the fish and game office, Helena, Montana, to purchase a B-10 nonresident big game combination license which shall entitle the holder to all the privileges of Class B, Class B-1, Class B-7, and black bear licenses, and an elk tag. This license includes the nonresident conservation license as prescribed in 87-2-202. Not more than ~~17,000~~ 15,000 17,000 Class B-10 licenses may be sold in any one license year."

~~NEW-SECTION--SECTION-12--CLASSES--B-11--AND--B-12~~
~~NONRESIDENT--BIG--GAME--LICENSE--11--EXCEPT--AS--OTHERWISE~~
~~PROVIDED--IN--THIS--CHAPTER--A--PERSON--NOT--A--RESIDENT--AS~~
~~DEFINED--IN--87-2-102--BUT--WHO--WILL--BE--12--YEARS--OF--AGE--OR~~
~~OLDER--PRIOR--TO--SEPTEMBER--15--OF--THE--SEASON--FOR--WHICH--THE~~
~~LICENSE--IS--ISSUED--MAY--UPON--PAYMENT--OF--THE--PROPER--FEE--OR~~
~~FEES--AND--SUBJECT--TO--THE--LIMITATIONS--PRESCRIBED--BY--LAW--AND~~
~~DEPARTMENT--RULES--PURCHASE--ONE--EACH--OF--THE--FOLLOWING~~
~~LICENSES:~~

1 ~~(A)--CLASS-B-11-NONRESIDENT-ELK-LICENSE-FOR--\$150--AND~~
 2 ~~(B)--CLASS-B-12-NONRESIDENT-DEER-LICENSE-FOR-\$100.~~
 3 ~~(2)--THE--LICENSE--FEES--IN--SUBSECTION-(1)--INCLUDE--THE~~
~~NONRESIDENT--CONSERVATION--LICENSE--FEES--FOR--THE--LICENSE~~
 5 ~~PRESCRIBED--IN--87-2-202.~~
 6 ~~(3)--NOT--MORE--THAN--2,000-CLASS-B-11-ELK-TAGS-OR-MORE~~
 7 ~~THAN--2,000-CLASS-B-12-DEER-TAGS--MAY--BE--SELD--IN--ANY--ONE~~
 8 ~~LICENSE-YEAR.~~
 9 ~~(4)--THE--USE--OF--EITHER--LICENSE--SPECIFIED--IN--SUBSECTION~~
 10 ~~(1)--IS--NOT--RESTRICTED--TO--ANY--ONE--SPECIFIC--AUTHORIZED--HUNTING~~
 11 ~~AREA--IN--MONTANA.~~
 12 Section 12--Section 87-2-507-MCA-is-amended-to-read:
 13 "87-2-507. Class--B-1--nonresident--mountain--tion
 14 licenses--Except--as--otherwise--provided--in--this--chapter--a
 15 person--not--a--resident--as--defined--in--87-2-102--but--who--is--12
 16 years--of--age--or--older--upon--payment--of--a--fee--of--\$100 ~~\$250~~
 17 ~~\$100~~ may receive a Class-B-1 license which shall entitle the
 18 holder--thereof--to--pursue--hunt--shoot--and--kill--mountain
 19 tion--and--possess--the--carcass--thereof--as--authorized--by
 20 department--rules."
 21 Section 13--Section 87-2-508-MCA-is-amended-to-read:
 22 "87-2-508. Class--B-2--resident--mountain--tion--licenses.
 23 Except--as--otherwise--provided--in--this--chapter--a--person--who
 24 is--a--resident--as--defined--in--87-2-102--and--who--is--12--years
 of--age--or--older--upon--payment--of--a--fee--of--\$5 ~~\$25~~ ~~\$5~~ may

1 receive--a--Class-B-2--license--which--shall--entitle--the--holder
 2 thereof--to--pursue--hunt--shoot--and--kill--mountain--tion--and
 3 possess--the--carcass--thereof--as--authorized--by--department
 4 rules."
 5 Section 14--Section 87-2-601-MCA-is-amended-to-read:
 6 "87-2-601. Class--C--trapper's--license--Except--as
 7 otherwise--provided--in--this--chapter--a--resident--as--defined
 8 in--87-2-102--upon--making--application--and--payment--of--a--fee--of
 9 \$10 ~~\$25~~ ~~\$10~~ to the department--may receive a Class-C license
 10 which shall authorize the holder thereof to trap for bearing
 11 animals--and--nont--bobcat--wolverine--and--Canada--lynx--within
 12 the--state--of--Montana--at--such--times--and--in--such--manner--as--may
 13 be--lawful--so--to--do--under--the--laws--of--the--state--and--the
 14 regulations--of--the--department--and--at--such--places--as--may--be
 15 designated--in--said--license."
 16 Section 10. Section 87-2-701, MCA, is amended to read:
 17 "87-2-701. Special licenses. (1) Any applicant who
 18 will be 12 years of age or older prior to September 15 of
 19 the season for which the license is issued and is the holder
 20 of a resident wildlife conservation license or a nonresident
 21 wildlife conservation license may apply for a special
 22 license which, in the judgment of the department, is to be
 23 issued and shall pay the following fees therefor:
 24 (a) moose--resident, \$25 ~~\$50~~ ~~\$25~~; nonresident, \$150
 25 ~~\$250~~ ~~\$175~~;

(b) mountain goat--resident, ~~\$15~~ ~~\$50~~ \$15; nonresident, ~~\$150~~ ~~\$250~~ \$175;

(c) mountain sheep--resident, ~~\$25~~ ~~\$50~~ \$25; nonresident, ~~\$150~~ ~~\$250~~ \$175;

(d) antelope--resident, ~~\$5~~ ~~\$10~~ \$5; nonresident, \$100;

(e) grizzly bear--resident, ~~\$25~~ ~~\$50~~ \$25; nonresident, ~~\$150~~ ~~\$250~~ \$175;

(f) black or brown bear--nonresident, \$100.

(2) In the event a holder of a valid special grizzly bear license kills a grizzly bear, he must purchase a trophy license for a fee of \$25 within 10 days after date of kill. Such trophy license shall authorize the holder to possess and transport said trophy.

(3) Special licenses shall be issued in a manner prescribed by the department."

Section 11. Section 87-2-702, MCA, is amended to read:

"87-2-702. Restrictions on special licenses. ~~{1}-A person who has obtained a grizzly bear, moose, mountain goat, or mountain sheep license is not eligible to apply for another such license for the next succeeding 7 years if such person has killed or taken an animal of the species for which the special license was issued. A person who has obtained a grizzly bear, moose, mountain goat, or mountain sheep license but did not kill or take an animal of the species for which the special license was issued is eligible~~

~~to apply for another such license in any succeeding year if he returns his unused special license to the department before or at the time application is made.~~

~~{2}{1}~~ A person who has received a special permit for elk is not eligible to receive a second special permit for this species of game animal during any license year. However, in the event the number of applications received is not equal to the number of game animals desired to be killed by the department, reapplication may be made by those valid license holders of the current year who may fall within these limitations.

~~{3}{2}~~ A person who has killed or taken any game animal, except a deer or an antelope, during the current license year is not permitted to receive a special license under this chapter to hunt or kill a second game animal of the same species."

Section 12. Section 87-2-705, MCA, is amended to read:

"87-2-705. Drawing for special elk permits. In the event the number of valid applications for special elk permits for a hunting district exceeds the quota set by the department for the district, these permits shall be awarded by a drawing. ~~Persons making valid application who did not receive a special elk permit during the season immediately preceding the drawing shall receive first preference in this drawing for first, second, and third choice hunting~~

1 ~~districts. The department shall provide for those persons~~
 2 ~~making valid application for special elk permits a method of~~
 3 ~~selecting first, second, and third choice hunting districts~~
 4 ~~for any drawing held pursuant to this section. The~~
 5 department may promulgate the rules necessary to implement
 6 this section."

7 Section 13. Section 87-2-706, MCA, is amended to read:

8 "87-2-706. Drawing for special antelope licenses. In
 9 the event the number of valid applications for special
 10 antelope licenses for a hunting district exceeds the quota
 11 set by the department for the district, such licenses shall
 12 be awarded by a drawing. ~~Persons making valid application~~
 13 ~~who did not receive an antelope license during the season~~
 14 ~~immediately preceding the drawing shall be given first~~
 15 ~~preference in such drawing for first, second, and third~~
 16 ~~choice hunting districts. The department shall provide for~~
 17 ~~those persons making valid application for special antelope~~
 18 ~~licenses a method of selecting first, second, and third~~
 19 ~~choice hunting districts for any drawing held pursuant to~~
 20 ~~this section.~~ The department shall have the authority to
 21 promulgate such rules and regulations as are necessary to
 22 implement this section."

23 NEW SECTION. Section 14. Drawing fee. (1) When the
 24 department determines a drawing is necessary prior to
 issuance of hunting licenses for any game species during a

1 hunting season, it shall collect a \$5 \$2 PER SPECIES drawing
 2 fee with each application submitted.

3 (2) This fee must be deposited in the earmarked
 4 revenue fund to the credit of the department as set forth in
 5 87-1-601.

6 (3) The payment of a drawing fee confers no hunting
 7 rights or privileges.

8 (4) The commission may waive the provisions of
 9 subsection (1) when a drawing is required for a special
 10 season under 87-1-304.

11 ~~Section 29. Section 87-2-711, MCA, is amended to read:~~
 12 ~~"87-2-711. Class AAA sportsman's license. Any~~
 13 ~~resident as defined by 87-2-182 who will be 12 years of~~
 14 ~~age or older prior to September 15 of the season for which~~
 15 ~~the license is issued, upon payment of the sum of \$45 \$48~~
 16 ~~\$35, shall be entitled to a sportsman's license which shall~~
 17 ~~permit the holder to exercise all rights granted to holders~~
 18 ~~of Class A, A-1, A-3, A-5, A-6, and resident conservation~~
 19 ~~licenses as prescribed in 87-2-202. The department shall~~
 20 ~~furnish each holder of a sportsman's license an appropriate~~
 21 ~~decals."~~

22 ~~Section 21. Section 87-2-805, MCA, is amended to read:~~
 23 ~~"87-2-805. Persons under fifteen years of age (1)~~
 24 ~~Minors under 15 years of age may fish for and take fish~~
 25 ~~during the open season without a license. However, no~~

nonresident person under the age of 15 years may fish in or on any Montana waters without first having obtained a Class B-3 or B-4 fishing license unless the nonresident person under the age of 15 years is in the company of an adult in possession of a valid Montana fishing license. The limit of fish for the nonresident person and the accompanying adult combined may not exceed the limit for one adult as established by law or by rule of the department.

(2) Residents as defined by 87-2-102 under the age of 15 years may purchase Class A-1, A-3, and A-5 licenses at \$2 ~~\$3~~ \$2 per license.

Section 15. Section 87-2-903, MCA, is amended to read:

"87-2-903. Compensation and duties of agents. (1) License agents, except salaried employees of the department, shall receive for all services rendered the sum of ~~\$5~~ \$30 cents for each license, permit, or certificate issued. On or before the 10th day of each month each license agent shall submit to the department all duplicates of each class of licenses sold during the preceding month and shall accompany the duplicate licenses with all moneys received for the sale of the licenses less a fee of ~~\$5~~ \$30 cents for each license sold. Each license agent shall keep his license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.

(2) For purposes of this section, the term "license"

includes any license, permit, and certificate prescribed by the department."

Section 23. Section 87-5-204, MCA, is amended to read: "87-5-204. License and rules for falconry. (1) The department may adopt specific rules for the keeping of records and for the trapping, taking, possession, or training of raptors used in the practice of falconry and may authorize the issuance of licenses to persons for the practice of falconry. It is unlawful for any person to possess a raptor or to train a raptor in the practice of falconry without a license.

(2) The fee for a falconry license is \$3 ~~\$25~~ \$3 a year or any part of a year. A license expires April 30 each year.

(3) A license may not be issued to a person under the age of 12 years.

(4) Licensees shall have in possession a valid falconer's license when engaged in the practice of falconry. In addition, falconers loosing raptors at game birds shall have in possession a valid resident or nonresident game bird license.

(5) Falconry licenses or permits are not transferable and may be revoked for due cause at any time by the department."

Section 16. Repealer. (1) Sections 87-2-703 and 87-2-721, MCA, are repealed effective May 1, 1981.

1 (2) Section 87-2-303, MCA, is repealed effective May
2 1, 1982.

3 Section 17. Codification instruction. (1) Section 6 is
4 intended to be codified as an integral part of Title 87,
5 chapter 2, part 3, and the provisions of Title 87 apply to
6 section 6.

7 (2) Section ~~19~~ 14 is intended to be codified as an
8 integral part of Title 87, chapter 2, part 1, and the
9 provisions of Title 87 apply to section ~~19~~ 14.

10 Section 18. Effective date. This act is effective as
11 follows:

12 (1) Sections ~~2, 3,~~ and ~~19~~ 14 are effective May 1,
13 1981.

14 (2) Section ~~24~~ 16 is effective as provided therein.

15 (3) Section ~~16~~ 11 is effective July 1, ~~1980~~ 1981.

16 (4) Sections ~~17--and--18~~ 12 AND 13 are effective on
17 passage and approval of this act.

18 (5) All other sections are effective May 1, 1982.

-End-

987
April 13, 1981

FREE CONFERENCE COMMITTEE REPORT NO. 1
ON HOUSE BILL NO. 200

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Free Conference Committee on House Bill No. 200, met April 13, 1981, and considered:

Senate Fish and Game Committee Amendments to the third reading copy, dated March 26, 1981, and

Senate Committee of the Whole Amendments to the third reading copy, dated March 30, 1981, and recommend as follows:

That the House accede to Committee amendments 1 and 4 through 14;

That the Senate recede from Committee amendment 2;

That the Senate recede from Committee of the Whole amendment number 3;

That House Bill No. 200 be further amended as indicated in CLERICAL INSTRUCTIONS number 3 and number 4;

And, that the Conference Report to House Bill No. 200 be adopted.

CLERICAL INSTRUCTION:

1. Page 2, line 22. /
Following: "\$2"
Strike: "\$3"
Insert: "\$2"

2. Page 3, line 3.
Following: "\$7"
Strike: "\$6"
Insert: "\$7"

3. Page 12, line 1.
Following: "a"
Strike: "\$5"
Insert: "\$2"

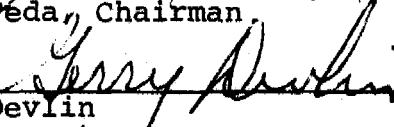
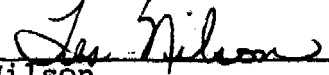
4. Page 15, line 12.
Following: "2"
Insert: ",3,"

April 13

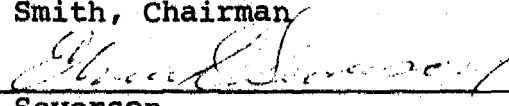
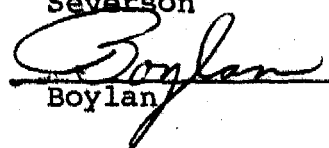
19 81

Free Conference Committee
on House Bill No. 200
Page -2-

FOR THE HOUSE:


Peda, Chairman

Devlin

Nilson

FOR THE SENATE:


Smith, Chairman

Severson

Boylan

March 30, 1981

SENATE COMMITTEE OF THE WHOLE

Proposed amendment to House Bill 200, third reading copy, as follows:

That the following amendment of the Senate Standing Committee on Fish and Game of March 26, 1981, be stricken:

3. Page 3, line 3.
Strike: "\$6"
Insert: "\$7"

March 26, 1981

SENATE STANDING COMMITTEE REPORT
(Fish and Game)

That House Bill No. 200 be amended as follows:

1. Title, line 8.
Strike: "TRAPPING,"
2. Page 2, line 22.
Strike: "\$2"
Insert: "\$3"
3. Page 3, line 3.
Strike: "\$6"
Insert: "\$7"
4. Page 4, lines 7 through 22.
Strike: sections 7 and 8 in their entirety
Renumber: subsequent sections
5. Page 6, line 8.
Strike: "\$250"
Insert: "\$275"
6. Page 7, line 12 through line 15 on page 8.
Strike: sections 12 through 14 in their entirety
Renumber: subsequent sections
7. Page 12, line 11 through line 11 on page 13.
Strike: sections 20 and 21 in their entirety
Renumber: subsequent sections
8. Page 14, lines 3 through 23.
Strike: section 23 in its entirety
Renumber: subsequent sections
9. Page 15, line 7.
Following: "Section"
Strike: "19"
Insert: "14"
10. Page 15, line 9.
Following: "section"
Strike: "19"
Insert: "14"
11. Page 15, line 12.
Following: "Sections 2 and"
Strike: "19"
Insert: "14"
12. Page 15, line 13.
Following: "Section"
Strike: "24"
Insert: "16"

13. Page 15, line 14.
Following: "Section"
Strike: "16"
Insert: "11"
14. Page 15, line 15.
Following: "Sections"
Strike: "17 and 18"
Insert: "12 and 13"

MINUTES OF THE MEETING OF THE FISH AND GAME COMMITTEE
January 29, 1981

The meeting was called to order at 12:35 p.m. by Vice Chairman Devlin. All committee members were present.

This meeting was held in the conference room at the Department of Fish, Wildlife, and Parks (F, W, & P) Building.

HOUSE BILL 200 (Copy Attached)

Representative Orval Ellison, sponsor of HB 200, said he will support whatever decision is made on this bill by the Fish and Game Committee.

There were 22 proponents and 9 opponents who testified on HB 200.

Proponents

Jim Flynn, Director of F, W, & P, made a presentation on HB 200 (EXHIBITS 1 and 2).

Robert Van Der Vere, a concerned registered lobbyist, said he wants the deer and elk licenses raised only \$1 each. He offered some amendments on the bill to the committee (EXHIBIT 3). He said he would like to see the drawing fee lowered from \$5 to \$1.

Everett Miller testified in favor of HB 200 (EXHIBIT 4).

Wilbur Rehmann testified in favor of HB 200 (EXHIBIT 5).

Bill Long testified in favor of HB 200. He said as a sportsman he supports F, W, & P because he uses their resources.

Michael Larkin testified in support of HB 200 (EXHIBIT 6).

Jim Richard, President of the Prickly Pear Sportsmens' Association, testified in support of HB 200.

John Gilpatrick presented testimony in support of HB 200 (EXHIBIT 7).

Ralph Holman testified in support of HB 200 (EXHIBIT 8).

Gary Stuker testified in support of HB 200. He told the committee he thinks there should be more field personnel.

Paul Rosenthal, representing Trout Unlimited, told the committee he supports HB 200 which will increase fishing license fees to a reasonable level. He said the license increase will not affect the general public. He told the committee he thinks the one-day

nonresident fishing license fee should be \$10; the six-day nonresident fishing license fee should be \$25; and the season nonresident fishing license fee should be \$40.

John Gray told the committee he thinks there should be money to fund a special investigation force to roam around Montana to help take care of the poaching problem. He also said people who are trained as biologists should not be carrying guns.

Steve Wrye, a proponent of HB 200, said Montana has the lowest license fees in the west and if we want to keep the quality we now have, the license fees will have to be increased.

Gael Bissell, representing the Montana Audubon Council, read a statement to the committee (EXHIBIT 9).

Tag Rittel gave a prepared statement to committee members (EXHIBIT 10).

Mike Chandler, representing Western Montana Fish and Game Association, spoke in support of HB 200. He said he would like to see legislation that would enable F, W, & P to automatically raise the license fees in the future that would not require the approval of the legislature.

James Johnson, representing Western Montana Fish and Game Association and himself, spoke in favor of HB 200.

Frank Johnson, a licensed dealer, outfitter and a sportsman himself, told the committee he has fished from Texas to Alaska during the last year and some of the best fishing and hunting resources are located in Montana. He also said he would like to see the six-day nonresident fishing licenses reapplied. He said it would cost the state a lot more money in dealer fees by just having one or two-day nonresident fishing licenses.

Representative Mueller spoke on behalf of the Rod and Gun Club of Libby. He urged approval of HB 200.

Robert Foukal, Vice President of Trout Unlimited, told the committee Montana's fisheries resources are known internationally as some of the best in the world.

Chris Kronberg spoke in favor of HB 200 (EXHIBIT 11).

Representative Marjorie Hart also spoke in support of HB 200.

Opponents

Diane Wiesner, a houndsman, spoke in opposition to HB 200 (EXHIBIT 12).

Edd Nentwig, President of Montana Trappers Association, also spoke in opposition to HB 200. He said the 150% increase in fees is too high. He also said there is no provision for youth trappers in this bill.

Jerry Strong went over some figures he had concerning how the F, W, & P spends their money. He said he got his figures from the F, W, & P but yet his figures do not match those now being defended by the F, W, & P. He said he has no problem with raising the license fees but feels F, W, & P cannot manage the money they now have.

Bill Bolster, representing himself, told the committee there will be a huge number of people who will not buy licenses after the increase goes into effect. Those people will go out and get game without licenses.

Hank Taylor spoke in opposition to HB 200 (EXHIBIT 13).

Jerry Mattice, representing himself, told the committee if the license fees are raised, eventually hunting and fishing will be only a rich man's sport.

Ray Meyers also spoke in opposition to HB 200 (EXHIBIT 14).

Ed Shellman, a rancher, hunter, outfitter and trapper, told the committee he agreed with previous testimony that the trapping licenses were being raised too high. He said he is not opposed to the license fee increases but feels some are excessive. He feels the F, W, & P could do a better job of managing parks and land acquisitions. He feels F, W, & P is paying too much for land they should not even have.

The committee then asked questions concerning HB 200.

Representative Daily asked what the youth elk and deer licenses were. Gene Allen, F, W, & P, told him they are half-price licenses for children under 14.

Representative Daily said most of the opposition is from family people. He asked if the F, W, & P has considered some sort of family plan license. Larry Putnam, F, W, & P, said that has been considered but there are too many problems with such a plan. (i.e. how do you prove the "family" is truly a "family", what would be done in the case of divorce, etc.)

Representative Roush asked if F, W, & P could raise the out-of-state fees higher. Mr. Flynn told him the federal government could start intervening if F, W, & P charged quite a bit more money for out-of-state licenses than they charge for resident licenses.

The six-day fishing license was discussed. Representative Hart said if the six-day license is dropped, there would be problems if out-of-state guests go out fishing for a week and have to go get new licenses every two days.

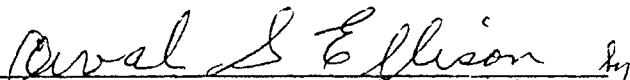
Representative Bennett asked what formula was used in establishing the fee increases. Larry Putnam, F, W, & P, said there was no across-the-board percentage. Mr. Flynn said F, W, & P considered inflation factors and what neighboring states are doing, along with other factors in determining the increases.

Representative Mueller asked why the priority status was eliminated. Mr. Flynn said the cost factor for the system was becoming more and more unmanageable.

Representative Ellison told the committee and witnesses for the hearing on HB 200 that he plans to put HB 200 into a subcommittee. The subcommittee will come back to the committee with a recommendation. Representative Ellison said he will support, on the floor of the House, whatever recommendation is made by the committee.

The hearing on HB 200 was closed.

The meeting was adjourned at 2:50 p.m.


MICHAEL G. DEVLIN, Vice Chairman

vml

1 HOUSE BILL NO. 200
2 INTRODUCED BY Ellison
3 BY REQUEST OF
4 THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE FUNDS
7 AVAILABLE FOR MANAGEMENT OF THE STATE'S WILDLIFE RESOURCES
8 BY INCREASING THE FEES FOR HUNTING, FISHING, TRAPPING, AND
9 RELATED LICENSES AND PERMITS; REMOVING THE 7-YEAR KILL
10 LIMITATION ON CERTAIN GAME ANIMALS; AND REMOVING THE
11 PRIORITY STATUS FOR UNSUCCESSFUL SPECIAL ELK AND ANTELOPE
12 LICENSE APPLICANTS; AMENDING SECTIONS 87-2-104, 87-2-202,
13 87-2-301, 87-2-302, 87-2-304, 87-2-401 THROUGH 87-2-403,
14 87-2-501, 87-2-505, 87-2-507, 87-2-508, 87-2-601, 87-2-701,
15 87-2-702, 87-2-705, 87-2-706, 87-2-711, 87-2-805, 87-2-903,
16 AND 87-5-204, MCA; REPEALING SECTIONS 87-2-303, 87-2-703,
17 AND 87-2-721, MCA; AND PROVIDING SEPARATE EFFECTIVE DATES."
18
19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
20 Section 1. Section 87-2-104, MCA, is amended to read:
21 "87-2-104. Number of licenses allowed. Only one
22 license of any one class, except Class B-3 and B-4 licenses,
23 shall be issued to any one person. The department may
24 prescribe rules and regulations for the issuance or sale of
25 a replacement license of the same class in the event the

1 original license is lost, stolen, or destroyed upon payment
2 ~~of the sum of \$3--or--the cost--of--the--original--license,~~
3 ~~whichever is the smaller amount of the original price of the~~
4 ~~lost, stolen, or destroyed license, not to exceed \$25."~~

5 Section 2. Section 87-2-202, MCA, is amended to read:
6 "87-2-202. Application -- stamp attachment -- fee --
7 expiration. (1) A wildlife conservation license shall be
8 sold upon written application. The application shall contain
9 the applicant's name, age, occupation, place of residence,
10 post-office address, and length of time in the state of
11 Montana; state whether the applicant is a citizen of the
12 United States or an alien; and be subscribed by the
13 applicant. The applicant shall present a driver's license or
14 other identification to substantiate the information.

15 (2) Hunting, fishing, or trapping licenses in the form
16 of tags or stamps issued to a holder of a wildlife
17 conservation license must be affixed to or recorded on the
18 wildlife conservation license according to such rules as the
19 department may prescribe.

20 (3) Resident and nonresident wildlife conservation
21 licenses may be purchased for a fee of ~~\$1~~ \$2.

22 (4) Licenses issued shall be void after April 30 next
23 succeeding their issuance."

24 Section 3. Section 87-2-301, MCA, is amended to read:
25 "87-2-301. Class A--resident fishing license. Any

1 resident, as defined by 87-2-102, upon payment of a fee of
 2 ~~\$5 \$7.50 or, after April 30, 1983, a fee of \$10~~, shall
 3 receive a Class A license which shall entitle the holder
 4 thereof to fish with hook and line or rod as authorized by
 5 regulations of the department."

6 Section 4. Section 87-2-302, MCA, is amended to read:
 7 "87-2-302. Class B--nonresident fishing license. Any
 8 person not a resident, as defined in 87-2-102, upon payment
 9 of the sum of ~~\$20 \$40~~ to any agent of the department
 10 authorized to issue fishing and hunting licenses, shall be
 11 entitled to a Class B license which shall entitle the holder
 12 thereof to fish with hook and line as authorized by the
 13 rules and regulations of the department."

14 Section 5. Section 87-2-304, MCA, is amended to read:
 15 "87-2-304. Class B-4--~~one-day two-day~~ nonresident
 16 fishing license. Any person not a resident, as defined in
 17 87-2-102, who is a holder of a valid wildlife conservation
 18 license, upon payment of the sum of ~~\$2 \$4~~ to any agent of
 19 the department authorized to issue fishing and hunting
 20 licenses, shall be entitled to a ~~1-day 2-day~~ nonresident
 21 fishing license which shall authorize the holder to fish
 22 with hook and line as prescribed by rules and regulations of
 23 the department for ~~1 2~~ calendar ~~day days~~ as indicated on the
 24 license."

25 NEW SECTION. Section 6. Paddlefish tags. The

1 department may issue paddlefish tags to holders of valid
 2 Class A, Class B, and Class B-4 fishing licenses for a fee
 3 of \$5. Each tag authorizes the holder to fish with hook and
 4 line for paddlefish as prescribed by rules of the
 5 department.

6 Section 7. Section 87-2-401, MCA, is amended to read:
 7 "87-2-401. Class A-1--resident game bird license.
 8 Except as otherwise provided, a resident, as defined by
 9 87-2-102, who is 12 years of age or older may, upon payment
 10 of a fee of ~~\$4 \$5 or, after April 30, 1983, a fee of \$6~~,
 11 receive a Class A-1 license which will entitle the holder to
 12 pursue, hunt, shoot, and kill game birds and possess the
 13 carcasses of game birds as authorized by department rules."

14 Section 8. Section 87-2-402, MCA, is amended to read:
 15 "87-2-402. Class B-1--nonresident game bird license.
 16 Except as otherwise provided in this chapter, a person not a
 17 resident, as defined in 87-2-102, but who is 12 years of age
 18 or older, upon payment of a fee of ~~\$30 \$40~~ may receive a
 19 Class B-1 license which shall entitle the holder thereof to
 20 pursue, hunt, shoot, and kill game birds and possess the
 21 carcasses of game birds as authorized by department rules."

22 Section 9. Section 87-2-403, MCA, is amended to read:
 23 "87-2-403. Wild turkey tags and fee. (1) The
 24 department may issue wild turkey tags to the holder of a
 25 valid Class A-1 or Class B-1 license. Each tag shall entitle

1 the holder to pursue, hunt, shoot, and kill one wild turkey
2 and possess the carcass thereof, during such times and such
3 places as the department shall authorize an open season on
4 wild turkey.

5 (2) The fee for a wild turkey tag shall be ~~\$2~~ \$5.
6 Turkey tags shall be issued either by a drawing system or in
7 unlimited number as authorized by department rules."

8 Section 10. Section 87-2-501, MCA, is amended to read:

9 "87-2-501. Class A-3, A-4, A-5, A-6--resident deer,
10 elk, and bear licenses. Except as otherwise provided in this
11 chapter, a resident, as defined by 87-2-102, who will be 12
12 years of age or older prior to September 15 of the season
13 for which the license is issued may, upon payment of the
14 proper fee or fees, be entitled to purchase one each of the
15 following licenses which will entitle the holder to pursue,
16 hunt, shoot, and kill the game animal or animals authorized
17 by the license held and to possess the carcasses of those
18 game animals as authorized by department rules:

19 (1) Class A-3, deer A tag, ~~\$7~~ \$8 until April 30, 1983,
20 then \$10;

21 (2) Class A-4, deer B tag, \$5;

22 (3) Class A-5, elk tag, ~~\$8~~ \$10 until April 30, 1983,
23 then \$12;

24 (4) Class A-6, black or brown bear tag, ~~\$6~~ \$10."

25 Section 11. Section 87-2-505, MCA, is amended to read:

1 "87-2-505. Class B-10--nonresident big game
2 combination license. Except as otherwise provided in this
3 chapter, a person not a resident, as defined in 87-2-102,
4 but who will be 12 years of age or older prior to September
5 15 of the season for which the license is issued may, upon
6 payment of the fee of ~~\$225~~ \$300 or, after April 30, 1983, a
7 fee of \$325, and subject to the limitations prescribed by
8 law and department regulation, apply to the fish and game
9 office, Helena, Montana, to purchase a B-10 nonresident big
10 game combination license which shall entitle the holder to
11 all the privileges of Class B, Class B-1, Class B-7, and
12 black bear licenses, and an elk tag. This license includes
13 the nonresident conservation license as prescribed in
14 87-2-202. Not more than 17,000 Class B-10 licenses may be
15 sold in any one license year."

16 Section 12. Section 87-2-507, MCA, is amended to read:

17 "87-2-507. Class D-1--nonresident mountain lion
18 license. Except as otherwise provided in this chapter, a
19 person not a resident, as defined in 87-2-102, but who is 12
20 years of age or older, upon payment of a fee of ~~\$100~~ \$250
21 may receive a Class D-1 license which shall entitle the
22 holder thereof to pursue, hunt, shoot, and kill mountain
23 lion and possess the carcass thereof as authorized by
24 department rules."

25 Section 13. Section 87-2-508, MCA, is amended to read:

1 "87-2-508. Class D-2--resident mountain lion license.
 2 Except as otherwise provided in this chapter, a person who
 3 is a resident, as defined in 87-2-102, and who is 12 years
 4 of age or older, upon payment of a fee of \$5 ~~\$25~~ may receive
 5 a Class D-2 license which shall entitle the holder thereof
 6 to pursue, hunt, shoot, and kill mountain lion and possess
 7 the carcass thereof as authorized by department rules."

8 Section 14. Section 87-2-601, MCA, is amended to read:

9 "87-2-601. Class C--trapper's license. Except as
 10 otherwise provided in this chapter, a resident, as defined
 11 in 87-2-102, upon making application and payment of a fee of
 12 ~~\$10~~ ~~\$25~~ to the department, may receive a Class C license
 13 which shall authorize the holder thereof to trap fur-bearing
 14 animals and hunt bobcat, wolverine, and Canada lynx within
 15 the state of Montana at such times and in such manner as may
 16 be lawful so to do under the laws of the state and the
 17 regulations of the department and at such places as may be
 18 designated in said license."

19 Section 15. Section 87-2-701, MCA, is amended to read:

20 "87-2-701. Special licenses. (1) Any applicant who
 21 will be 12 years of age or older prior to September 15 of
 22 the season for which the license is issued and is the holder
 23 of a resident wildlife conservation license or a nonresident
 24 wildlife conservation license may apply for a special
 25 license which, in the judgment of the department, is to be

1 issued and shall pay the following fees therefor:

2 (a) moose--resident, \$25 ~~\$50~~; nonresident, ~~\$150~~ ~~\$250~~;

3 (b) mountain goat--resident, ~~\$15~~ ~~\$50~~; nonresident,
 4 ~~\$150~~ ~~\$250~~;

5 (c) mountain sheep--resident, \$25 ~~\$50~~; nonresident,
 6 ~~\$150~~ ~~\$250~~;

7 (d) antelope--resident, \$5 ~~\$10~~; nonresident, \$100;

8 (e) grizzly bear--resident, \$25 ~~\$50~~; nonresident, ~~\$150~~
 9 ~~\$250~~;

10 (f) black or brown bear--nonresident, \$100.

11 (2) In the event a holder of a valid special grizzly
 12 bear license kills a grizzly bear, he must purchase a trophy
 13 license for a fee of \$25 within 10 days after date of kill.
 14 Such trophy license shall authorize the holder to possess
 15 and transport said trophy.

16 (3) Special licenses shall be issued in a manner
 17 prescribed by the department."

18 Section 16. Section 87-2-702, MCA, is amended to read:

19 "87-2-702. Restrictions on special licenses. ~~{1}~~--A
 20 person--who--has--obtained--a--grizzly-bear, moose, mountain
 21 goat, or mountain sheep--license--is--not--eligible--to--apply--for
 22 another--such--license--for--the--next--succeeding--7--years--if--such
 23 person--has--killed--or--taken--an--animal--of--the--species--for
 24 which--the--special--license--was--issued--A--person--who--has
 25 obtained--a--grizzly-bear, moose, mountain goat, or--mountain

1 ~~sheep--license--but--did--not--kill--or--take--an--animal--of--the~~
 2 ~~species--for--which--the--special--license--was--issued--is--eligible~~
 3 ~~to--apply--for--another--such--license--in--any--succeeding--year--if~~
 4 ~~he--returns--his--unused--special--license--to--the--department~~
 5 ~~before--or--at--the--time--application--is--made~~

6 ~~(2)(1)~~ A person who has received a special permit for
 7 elk is not eligible to receive a second special permit for
 8 this species of game animal during any license year.
 9 However, in the event the number of applications received is
 10 not equal to the number of game animals desired to be killed
 11 by the department, reapplication may be made by those valid
 12 license holders of the current year who may fall within
 13 these limitations.

14 ~~(3)(2)~~ A person who has killed or taken any game
 15 animal, except a deer or an antelope, during the current
 16 license year is not permitted to receive a special license
 17 under this chapter to hunt or kill a second game animal of
 18 the same species."

19 Section 17. Section 87-2-705, MCA, is amended to read:

20 "87-2-705. Drawing for special elk permits. In the
 21 event the number of valid applications for special elk
 22 permits for a hunting district exceeds the quota set by the
 23 department for the district, these permits shall be awarded
 24 by a drawing. ~~Persons--making--valid--application--who--did--not~~
 25 ~~receive--a--special--elk--permit--during--the--season--immediately~~

1 ~~preceding--the--drawing--shall--receive--first--preference--in--this~~
 2 ~~drawing--for--firsty--secondy--and--third--choice--hunting~~
 3 ~~districts.~~ The department shall provide for those persons
 4 making valid application for special elk permits a method of
 5 selecting first, second, and third choice hunting districts
 6 for any drawing held pursuant to this section. The
 7 department may promulgate the rules necessary to implement
 8 this section."

9 Section 18. Section 87-2-706, MCA, is amended to read:

10 "87-2-706. Drawing for special antelope licenses. In
 11 the event the number of valid applications for special
 12 antelope licenses for a hunting district exceeds the quota
 13 set by the department for the district, such licenses shall
 14 be awarded by a drawing. ~~Persons--making--valid--application~~
 15 ~~who--did--not--receive--an--antelope--license--during--the--season~~
 16 ~~immediately--preceding--the--drawing--shall--be--given--first~~
 17 ~~preference--in--such--drawing--for--firsty--secondy--and--third~~
 18 ~~choice--hunting--districts.~~ The department shall provide for
 19 those persons making valid application for special antelope
 20 licenses a method of selecting first, second, and third
 21 choice hunting districts for any drawing held pursuant to
 22 this section. The department shall have the authority to
 23 promulgate such rules and regulations as are necessary to
 24 implement this section."

25 ~~NEW SECTION.~~ Section 19. Drawing fee. (1) When the

1 department determines a drawing is necessary prior to
2 issuance of hunting licenses for any game species during a
3 hunting season, it shall collect a \$5 drawing fee with each
4 application submitted.

5 (2) This fee must be deposited in the earmarked
6 revenue fund to the credit of the department as set forth in
7 87-1-601.

8 (3) The payment of a drawing fee confers no hunting
9 rights or privileges.

10 (4) The commission may waive the provisions of
11 subsection (1) when a drawing is required for a special
12 season under 87-1-304.

13 Section 20. Section 87-2-711, MCA, is amended to read:

14 "87-2-711. Class AAA--sportsman's license. Any
15 resident, as defined by 87-2-102, who will be 12 years of
16 age or older prior to September 15 of the season for which
17 the license is issued, upon payment of the sum of ~~\$35~~ \$40,
18 shall be entitled to a sportsman's license which shall
19 permit the holder to exercise all rights granted to holders
20 of Class A, A-1, A-3, A-5, A-6, and resident conservation
21 licenses as prescribed in 87-2-202. The department shall
22 furnish each holder of a sportsman's license an appropriate
23 decal."

24 Section 21. Section 87-2-805, MCA, is amended to read:

25 "87-2-805. Persons under fifteen years of age. (1)

1 Minors under 15 years of age may fish for and take fish
2 during the open season without a license. However, no
3 nonresident person under the age of 15 years may fish in or
4 on any Montana waters without first having obtained a Class
5 B, B-3, or B-4 fishing license unless the nonresident person
6 under the age of 15 years is in the company of an adult in
7 possession of a valid Montana fishing license. The limit of
8 fish for the nonresident person and the accompanying adult
9 combined may not exceed the limit for one adult as
10 established by law or by rule of the department.

11 (2) Residents, as defined by 87-2-102, under the age
12 of 15 years may purchase Class A-1, A-3, and A-5 licenses at
13 ~~\$2~~ \$3 per license."

14 Section 22. Section 87-2-903, MCA, is amended to read:

15 "87-2-903. Compensation and duties of agents. (1)
16 License agents, except salaried employees of the department,
17 shall receive for all services rendered the sum of ~~\$5~~ 30
18 cents for each license, permit, or certificate issued. On or
19 before the 10th day of each month each license agent shall
20 submit to the department all duplicates of each class of
21 licenses sold during the preceding month and shall accompany
22 the duplicate licenses with all moneys received for the sale
23 of the licenses less a fee of ~~\$5~~ 30 cents for each license
24 sold. Each license agent shall keep his license account open
25 at all reasonable hours to inspection by the department, the

1 director, the wardens, or the legislative auditor.

2 (2) For purposes of this section, the term "license"
3 includes any license, permit, and certificate prescribed by
4 the department."

5 Section 23. Section 87-5-204, MCA, is amended to read:

6 "87-5-204. License and rules for falconry. (1) The
7 department may adopt specific rules for the keeping of
8 records and for the trapping, taking, possession, or
9 training of raptors used in the practice of falconry and may
10 authorize the issuance of licenses to persons for the
11 practice of falconry. It is unlawful for any person to
12 possess a raptor or to train a raptor in the practice of
13 falconry without a license.

14 (2) The fee for a falconry license is \$3 ~~125~~ a year or
15 any part of a year. A license expires April 30 each year.

16 (3) A license may not be issued to a person under the
17 age of 12 years.

18 (4) Licensees shall have in possession a valid
19 falconer's license when engaged in the practice of falconry.
20 In addition, falconers loosing raptors at game birds shall
21 have in possession a valid resident or nonresident game bird
22 license.

23 (5) Falconry licenses or permits are not transferable
24 and may be revoked for due cause at any time by the
25 department."

1 Section 24. Repealer. (1) Sections 87-2-703 and
2 87-2-721, MCA, are repealed effective May 1, 1981.

3 (2) Section 87-2-303, MCA, is repealed effective May
4 1, 1982.

5 Section 25. Codification instruction. (1) Section 6 is
6 intended to be codified as an integral part of Title 87,
7 chapter 2, part 3, and the provisions of Title 87 apply to
8 section 6.

9 (2) Section 19 is intended to be codified as an
10 integral part of Title 87, chapter 2, part 1, and the
11 provisions of Title 87 apply to section 19.

12 Section 26. Effective date. This act is effective as
13 follows:

14 (1) Sections 2 and 19 are effective May 1, 1981.

15 (2) Section 24 is effective as provided therein.

16 (3) Section 16 is effective July 1, 1980.

17 (4) Sections 17 and 18 are effective on passage and
18 approval of this act.

19 (5) All other sections are effective May 1, 1982.

-End-

HB 200

STATE OF MONTANA

REQUEST NO. 116-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 16, 19 81, there is hereby submitted a Fiscal Note for House Bill 200 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

An act to increase funds available for management of the state's wildlife resources by increasing the fees for hunting, fishing, trapping, and related licenses and permits; removing the 7-year kill limitation on certain game animals; and removing the priority status for unsuccessful special elk and antelope license applicants.

Assumptions

It is assumed the license dealer commission fee will be increased from 15¢ to 30¢ per license. It is assumed the price of some licenses will not change (bow and arrow, nonresident antelope, nonresident bear, resident and nonresident Deer B). It is assumed the proposed fee increases will occur in three separate waves spread over the next several years: May 1, 1981, May 1, 1982, and May 1, 1983. It is assumed several licenses and fees will be eliminated (nongame certificate, nonresident 6-day fishing license, special elk drawing fee, special deer drawing fee). A 10% drop in the total sales volume of licenses sold is assumed if hunting and fishing license fees are increased. Historically after a license fee increase sales volume has dropped 8-15%. No difference was assumed between annual revenue generated in a Department of Fish, Wildlife & Parks license year (May 1 to April 30) and a state of Montana fiscal year (July 1 to June 30).

<u>Fiscal Impact</u>	<u>FY 1982</u>	<u>FY 1983</u>
Hunting & Fishing License		
Earmarked Revenue:		
Current Law	\$8,112,197	\$8,112,197
Operating Expense	<u>47,000</u>	<u>47,000</u>
	\$8,065,197	\$8,065,197
Proposed Law	9,239,446	11,534,788
Operating Expense	<u>0</u>	<u>0</u>
Estimated Revenue	\$1,174,249	\$3,469,591

Long Range Effects of Proposed Legislation

The fee increases scheduled for May 1, 1983 will have an additional annual revenue impact of \$802,231 in fiscal years subsequent to FY 1983. This revenue package was designed to carry the Department of Fish, Wildlife & Parks through the next four fiscal years without further major fee increases.

David M. Lewis
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-21-81Technical or Mechanical Defects or Conflicts with Existing Legislation

Sec. 26, Subsec. (3) should read as follows: "(3) Section 16 is effective 7-1-81" Rather than July 1, 1980). There is a typographical error in drafting the bill

PRESENTED BY: JIM FLYNN
DEPARTMENT OF FISH, WILDLIFE AND PARKS

In regard to the department's proposed fee increases, I am presenting this information to help explain our current financial situation, how we arrived at this somewhat critical point in time, and where we hope to go in the future.

The ultimate end result of our overall department responsibilities is to benefit current and future generations of people through our mandates to protect, preserve, enhance and regulate the wise use of the fish and wildlife and other outdoor recreation and cultural resources.

All divisions, projects and "programs" are collectively working toward the department goal.

In our effort to benefit the people of Montana through wise management of the fish, wildlife, recreation and cultural resources - we must work within three major constraints:

- 1) limitations and needs of the resources.
- 2) recognition of present and future human needs and desires.
- 3) maintenance and enhancement of the quality of the environment.

The major problems identified by the department for the 1980's are:

INCREASING DEMANDS FOR FISH, WILDLIFE AND PARKS RECREATION RESOURCES

As Montana's population continues to grow - by the 1990's - the number of resident hunters could exceed current totals of both resident and nonresident hunters.

LIMITED "SUPPLIES" OF FISH AND WILDLIFE AND DECREASING HABITAT

The land base that provides the habitat, space and other "ingredients" for these resources is constantly shrinking due to expanding and intensifying land and water uses. Increasing national demands for energy, food, fiber, living space and defense accelerate the process of habitat loss and subsequently limits supplies of fish and wildlife.

DIMINISHING PUBLIC ACCESS FOR HUNTING, FISHING AND OTHER RECREATIONAL USES OF PRIVATE AND PUBLIC LANDS

This challenge became significant in the early 1970's - the department has since increased emphasis on meeting this challenge. We feel the accelerated rate of land closing has tapered off - but trying to manage fish and wildlife within the constraints and needs of private landowners will continue as a serious challenge.

GAINING PUBLIC CREDIBILITY

This agency will be called upon more and more to be the spokesman, in an emotional atmosphere for the resources we are charged to enhance.

It is imperative that we have the financial resources to accurately document and present that story. Only with adequate tools and tighter fiscal control can we maintain credibility.

For example, in the fee proposal you have before you, we have included two provisions in regard to the drawings for licenses which, if enacted, will save considerable money. The first proposal removes the provision whereby a person who has taken a grizzly bear, moose, mountain goat or mountain sheep must wait seven years before applying for another such license. The other proposal removes the provision whereby unsuccessful applicants for antelope and elk permits receive first consideration for one of these permits the following year. Removal of these provisions will simplify the drawings considerably, eliminate the need for year-to-year record keeping, and save the department about \$47,000 per year.

INFLATION AND INCREASING MANAGEMENT COMPLEXITIES ARE INCREASING COSTS BEYOND TRADITIONAL FUNDING SOURCES

Inflation, of course, affects the entire economic system of the state and the nation - specifically, the reduction of "buying power" of this department's income to early 1970 levels means that we will be unable to maintain our current level of services. I want to emphasize at this point that our current level of services is based on substantial expenditure reductions in some areas over the last two years.

INCREASING MANAGEMENT COMPLEXITIES

Some are a compounding of other major problems - more people, more pressure on habitat, less access to resources, more competition between resource users (for example - Madison float fishermen vs. shore fishermen) or trying to fairly allocate limited permits to increasing

demands, more federal intervention in our management decisions, etc.

The legislative mandate (1973) to manage nongame is an example where our responsibilities were increased, but without a supporting funding source.

GROWING COMPETITION FOR NATURAL RESOURCES

Montana is blessed with an abundance of resources, both renewable and nonrenewable, and the growing demands for these resources make our job more difficult. We have to work cooperatively with other resource users to minimize the impacts of their activities on fish, wildlife and outdoor recreation.

With regard to agency expenditures as is seen here in Section 17-8-103 MCA it is unlawful to overspend an agency budget.

As we proceed through today's presentation, I assure you that our goal is to observe this section of Montana law.

Neither Gov. Schwinden nor myself as department director are inclined to either forsake our legal charge to Montana's fish, wildlife and parks or to act contrary to Section 17-8-103.

Department funding comes from a variety of sources and it is fairly complicated. However, nearly one-half of our funds come from the sale of hunting and fishing licenses (45.9% to be specific), and nonresident license buyers contribute 26.9% as compared to 19% for residents of total department funding. I want to talk today primarily about these license revenues, but will briefly explain our other funding sources as follows:

OTHER FEDERAL AND PRIVATE (9.3%) - This source refers to contract money we receive from federal agencies and private corporations, usually for work we do to provide technical data on the fish and wildlife resource in Montana.

PARKS (5.9%) - This is the parks earned revenue account which includes fees from camping, cabin sites and concessionaires (fees collected at the Lewis and Clark Caverns, etc.), motorboat and snowmobile fuel tax funds, motorboat registration fees, and coal tax interest as allocated by the Legislature.

MISCELLANEOUS (4.2%) - This is revenue from hay sales, timber leases, land leases, donations and the department print shop.

GENERAL FUND (2.9%) - This money is appropriated to the department, but administered by the parks division and used for state parks.

FINES (.9%) - penalties for fish, wildlife and parks violations which are earmarked for the warden retirement system.

MONTANA OUTDOORS (.8%) - This is the subscription income received for our magazine.

DINGELL - JOHNSON, OR "D-J" (3.0%) - This money comes from the Federal Aid in Sport Fish Restoration Act of 1950 and consists of a 10% excise tax on fishing tackle. This money provides financial aid to state fishery management programs and states must provide \$1 to match each \$3 of D-J money. The funds are allocated by the federal government according to a formula which considers the land area and total fishing license sales of each state. Use of D-J monies is limited to fish management, including survey and inventory of the state's waters, creel census surveys, research and chemical control of rough fish populations.

HERITAGE CONSERVATION AND RECREATION SERVICE (11.9%) - This program is administered on the federal level by the Department of Interior and on the state level by our Parks Division. It can fund outdoor recreation area construction or acquisition on a 50/50 cost sharing basis for any political subdivision of the state. One-half of Montana's annual allocation is used to develop and acquire state parks, recreation areas and fishing access sites. The other half is passed on to cities and counties on a competitive basis.

PITTMAN-ROBERTSON OR "P-R" (15.2%) - This is money which comes from the Federal Aid in Wildlife Restoration Act of 1937. This act earmarks an 11 percent excise tax on sporting firearms, ammunition and archery equipment for wildlife restoration by the states. The allocation is usually at a ratio of three P-R dollars for each license dollar, and like the "D.J." funds, the money is allocated according to the land area and total hunting license sales of each state. Use of "P-R" funds are restricted to wildlife inventories, research, habitat acquisition and development, transplanting, and hunter education/safety programs.

The organization of the department and our funding is shown on this pie chart which is a facsimile of our last fiscal year just completed.

WILDLIFE DIVISION (15.5%)

This division is responsible for the department's wildlife surveys, inventory and research work. This work provides a biological basis for game and fur season recommendations to the Commission each year. The division also operates and maintains the department's wildlife management areas in the state.

FISHERIES DIVISION (13.7%)

This division manages Montana's fisheries resources to provide optimum sport fishing for resident and nonresident anglers. They also regulate commercial utilization of nongame fish and fishing areas where commercial operations are compatible with sport fishing.

CAPITAL (20.4%)

Costs attributable to the purchase and development of state parks, wildlife areas, recreation areas and fishing access sites are budgeted in this category. Improvements and heavy maintenance at department administrative sites are also budgeted here.

ADMINISTRATION (2.5%)

This includes executive leadership functions of the Fish and Game Commission, the Director's Office and associated staff services. The Commission sets department policies and priorities and regulates the harvest of fish, game and furbearers by setting regulations that establish the opening and closing of seasons and the bag limits.

GRANTS (1.4%)

These include grants and contracts we make from license dollars to agencies such as the Livestock Board for predator control and to the universities for management studies requested by the department.

REGIONAL OFFICES (3.1%)

The department maintains seven regional offices throughout the state and our field activities are supervised through these offices. They provide the very important function of service to the public at the local level.

ECOLOGICAL SERVICES (4.1%)

This division provides technical data on the habitat needs of fish and wildlife. The purpose of this service is to ensure that fish and wildlife resources can be protected, preserved and enhanced. Its objective is, in fact, to obtain a balance between development and preservation.

LAW ENFORCEMENT DIVISION (14.4%)

This division is responsible for protecting fish and wildlife and their habitat and for protecting recreation, historical and archaeological sites from willful or negligent destruction. The division coordinates training in the areas of hunter safety, boat safety and snowmobile safety. It also maintains field administration of all license agents and issues and administers the provisions of special purpose licenses.

I want to mention that many of the department's employees serve a dual role as ex officio game wardens in addition to their regular duties. This program was expanded several years ago in order to increase our field enforcement effort without hiring additional personnel.

PARKS DIVISION (10.6%)

The Department of Fish, Wildlife and Parks is directed by law to conserve and make available to the public scenic, historic, archeological, scientific and recreational resources of the state. The parks division fulfills a great deal of this role by managing state parks, recreation areas and fishing access sites. The division also administers the federal Land and Water Conservation Fund for state and local government use and administers a rather intense snowmobile program.

CENTRALIZED SERVICES DIVISION (9.1%)

This division is an administrative and service unit that provides supervision over budgeting, accounting, cashiering, claims, purchasing, personnel, payroll and property. In addition all license consignments, direct license sales and special drawings are supervised through this division.

CONSERVATION EDUCATION DIVISION (5.2%)

This division assists the department in reaching its overall goals through public information and education programs. The division informs the public about fish and wildlife laws, administrative rules and policies that are designed to regulate outdoor recreation activities, and it creates a public awareness of the responsibilities of the Department of Fish, Wildlife and Parks.

The impact of rising prices and the decreasing value of the dollar are familiar to everyone who needs to maintain a balance between their income and expenditures. The department is subject to the same inflationary trends that influence individual citizens and this chart shows department income from license sales (top line in red) and the buying power of these license funds (bottom line in blue). The value of the dollar according to the Consumer Price Index, is illustrated on the bottom of the chart. These values are based on the assumption that the dollar was worth a dollar in 1967, but the value had decreased to 84¢ by 1971, 46¢ by 1979 and 27¢ by 1985 with the calculations for 1981, 1983 and 1985 based on a 10% inflation rate.

As an example of what this has meant to the department, we paid \$17.80 for insulated hip boots in 1969 - these same boots cost us \$27.95 in 1980, binoculars were \$57.24 in 1969 - \$140.00 in 1980; floating gill nets (125' x 6') were worth \$64.65 in 1969, but we paid \$112.00 last year.

This chart also shows a steady increase in license sales through the 1970's, but a "leveling off" beginning in 1980. This is the reason we did not feel the full impact of inflation until recently; i.e. during the 70's the volume of sales increased in many license categories, and there were some fee increases. The result was an increasing trend in total license revenue which paralleled the CPI increase until we experienced sustained double digit inflation and other factors which affected license sales which I will explain later.

This department, due to the nature of its activities which require a great deal of travel, feels very acutely the problems with energy supplies and costs. This chart shows what has happened with our vehicle fleet in the last five years. Note in particular that we have driven fewer miles in 1980 than in 1976, and we used about 100,000 fewer gallons of fuel in 1980 than in 1976, but we are paying nearly twice as much for each gallon of gas, not to mention the substantial cost of new vehicles now as compared to 1976. To help offset this, the department has converted much of its fleet to more fuel efficient vehicles. We are also taking other steps to offset high energy costs (fewer meetings, car pooling and use of commercial transportation such as buses when possible).

In addition to the erosion in buying power of our revenues due to energy supplies and costs, our license income will "level off," as I said earlier, and we do not have the ability to increase the volume of license sales. I mentioned that nonresident license sales account for 26.9 percent of the department's total income. This is our single most important revenue source and we sold all 17,000 licenses for the first time in 1979 and again last year.

My point here, and the intent of this chart, is to show that any further growth in nonresident big game license sales is impossible because we have reached the 17,000 limit, as shown by the red line. The blue line shows the corresponding revenue generated by this non-resident license which has also leveled off. Again, we do not propose any change in the 17,000 limit. This was mandated by the 1975 Legislature and we can and will live with it.

This next chart shows the department's budget, by division, and what we face without a license fee increase. We call this the "base budget," and the bottom line is a 21.5 percent decrease in expenditures in the 82-83 biennium and a 19 percent decrease in FTE's, or full time equivalent employees. As you can see, we are looking at drastic cutbacks and the various division administrators are here today to explain these cutbacks in detail if you desire. Without the license fee increase, the department will continue to exist, but our programs and personnel will have to be cut back considerably in order for us to comply with 17-8-103 which states that we cannot overspend our budget.

In comparison, this chart shows our budget with the proposed license fee increases. We refer to this as the "Fee Increase Budget," but the important point here is that even with the increased revenue, our budget in the 82-83 biennium will be 15.3% less than in 80-81 and total department personnel will be reduced by 9.2%. Most of the divisions in the department have made use of the financial situation by taking a hard look at their various programs and restructuring their priorities. Again, the division administrators can provide you with the details, but the end result, even with fee increases, is a reduced budget and fewer personnel.

This next chart graphically displays the department's cash flow revenue projections based on hunting and fishing license sales. An important point on this chart concerns the shaded area on the lower portion of the chart. You will note that the upper limit in the shaded area is placed at approximately, \$750,000. A "cushion" of about this much is necessary due to the complexity of the different types of funding the department receives, a circumstance unique to this department. In order to actually receive these PR and DJ funds I mentioned earlier, we must spend the matching state dollars first before we can bill the federal government and receive these dollars. For this reason, we need about \$750,000 "in the bank" at all times. Fiscal responsibility requires this minimum figure.

Another important point on this chart concerns the severe peaks and valleys from month to month. This situation occurs because fishing and hunting license sales are seasonal; i.e., most of the licenses are sold in the spring and early fall. But our programs are year round, and during the remainder of the year, we must live on the remaining cash balance. Our cash balance right now, today, is impressive, but by next spring it will be reduced considerably before people begin to buy their new fishing licenses.

The bottom line on the chart (in red) projects our cash balance without any fee increases, and the top line (in green) shows the balance with fee increases. As I mentioned earlier, the bottom line would never be allowed to fall below the \$0 level because this is illegal. Before it reached this point, we would severely cut department programs, services and personnel. But as you can see, without the license fee increases, this agency faces critical financial problems.

Finally, this chart shows the actual fee increases we are requesting. This is a "phased" increase, with a few increases taking effect in 1981, most occurring in 1982 and a few more in 1983. We are proposing this phased approach for two reasons, i.e., to offset the erosion in purchasing power I discussed earlier and to keep from requesting additional license fee increases in the next Legislative Session. Refer to page 12 in the packet for a comparison of current and recommended license fees.

Also included in the packet is an explanation of the amount of revenue the recommended fees will generate (pg. 13), when our current fees were established (pg. 14) and a comparison of Montana's fees with other western states (pg. 15).

One last point I want to make concerns the "Unknowns" we face in future license sales--things which could reduce license revenues even with a license fee increase. For example, I mentioned a "tapering off" in sales of some licenses and the fact that we have reached the 17,000 limit in nonresident combination license sales. Increases in fees in the past have usually been accompanied by decreases in sales --"buyer resistance." In the case of nonresident combination licenses, this could happen. The sale of 15,000 of these licenses rather than 17,000 would mean a loss in revenue of \$600,000 in 1982.

Another "unknown" concerns our economy, the price and availability of gasoline, other costs associated with hunting and fishing, and the availability of money to spend. Recent figures from the Montana Highway Department show a decline in nonresident visitors to our state of 17% between 1977 and 1979, and a corresponding loss of nonresident visitor expenditures of \$100,700,000. Nonresident sportsmen provide our major source of income and as they increased in number during the 1970's we received additional revenue. But those days are gone, due to a variety of factors I've already mentioned, and our only recourse now is to request an increase in fees.

And finally we face a host of other "unknowns" as well -- opportunities to hunt and fish could be reduced due to conservative regulations resulting from cutbacks in department field operations, access to private land could become more difficult for this same reason and federal intervention in state wildlife management decisions could affect hunting and fishing opportunities.

To put it bluntly, we do not know what may happen in the future, but we do request your careful consideration of our proposal which is based on the best information we have available at this time.

DEPARTMENT GOAL



VALUES

THROUGH PROTECTION, ASSISTING
ENHANCING AND REGULATING THE
WISE USE OF FISH, WILDLIFE AND
OTHER NATURAL AND CULTURAL RE-
SOURCES

WELCOME TO THE 1980's !
We can look forward to:

GREATER DEMANDS FOR
RECREATION

LIMITED SUPPLIES OF
FISH AND WILDLIFE

DECREASING HABITAT

PROBLEMS OF ACCESS
TO PUBLIC RESOURCES
ON PRIVATE LAND

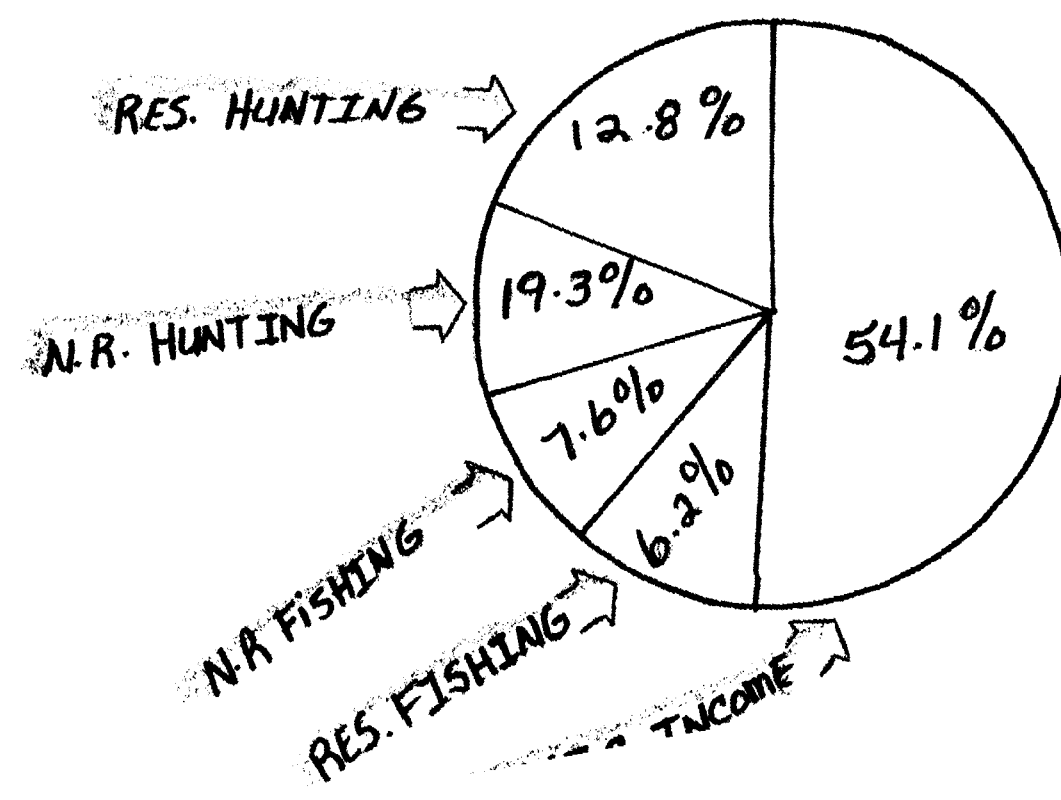
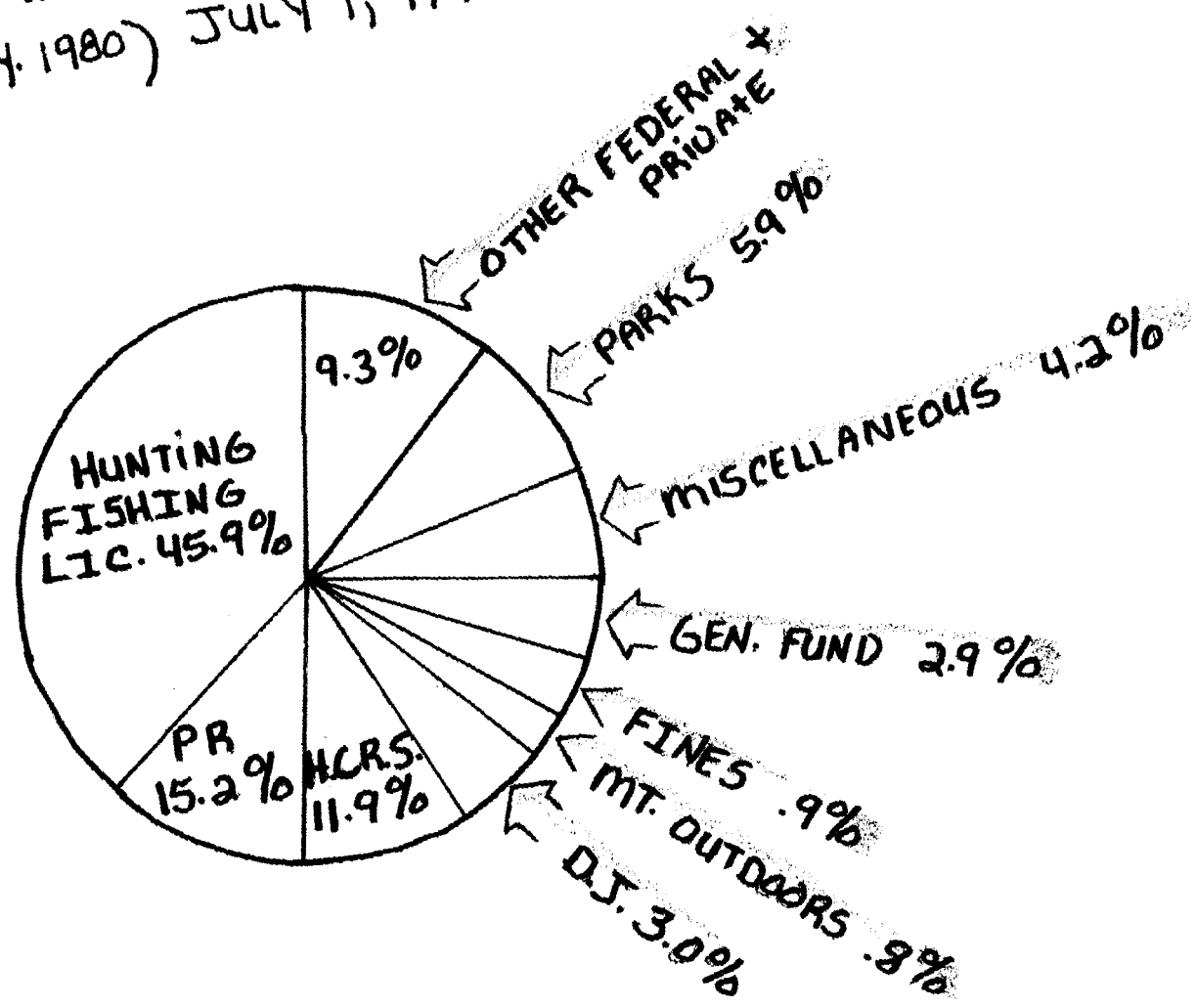
GAINING PUBLIC
CREDIBILITY

INFLATION-GROWING MANAGEMENT
COMPLEXITY-GREATER COMPETITION
FOR NATURAL RESOURCES.....

SECTION 17-8-103 M.C.A.

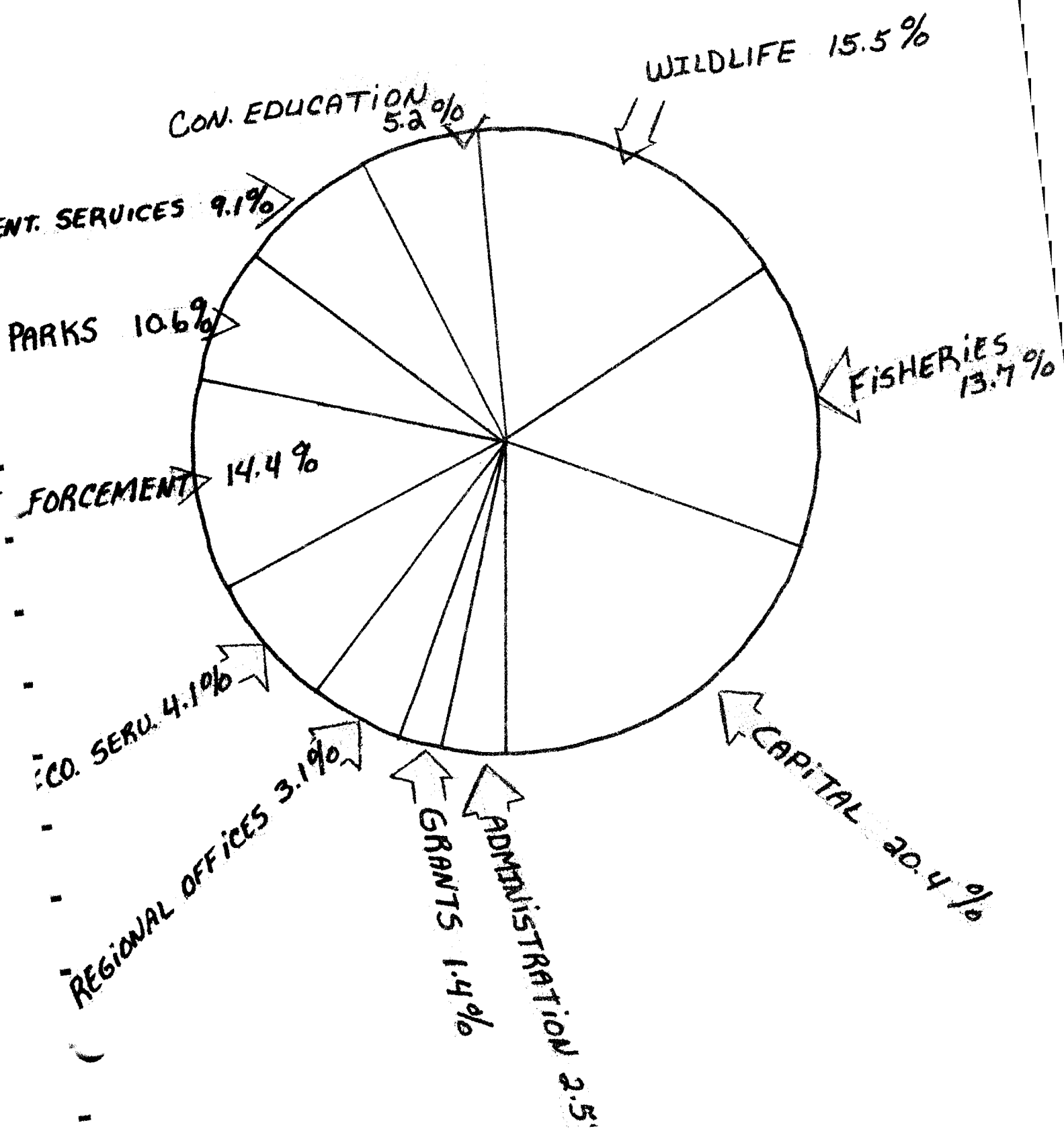
"IT SHALL BE UNLAWFUL FOR ...
ANY OFFICER, DEPARTMENT, ...
HAVING CHARGE OF THE DISBURSE-
MENT OR EXPENDITURE OF THE IN-
COME PROVIDED BY LEGISLATIVE
APPROPRIATION OR OTHERWISE TO
INCUR OR PERMIT THE INCURRING OF
ANY OBLIGATION IN ONE YEAR, IN
EXCESS OF THE LEGISLATIVE APPRO-
PRIATION OR AUTHORIZED BUDGET
AMENDMENT PROVIDED FOR SUCH
YEAR."

WHERE THE MONEY COMES FROM
 (4.1980) JULY 1, 1979 THROUGH JUNE 30, 1980

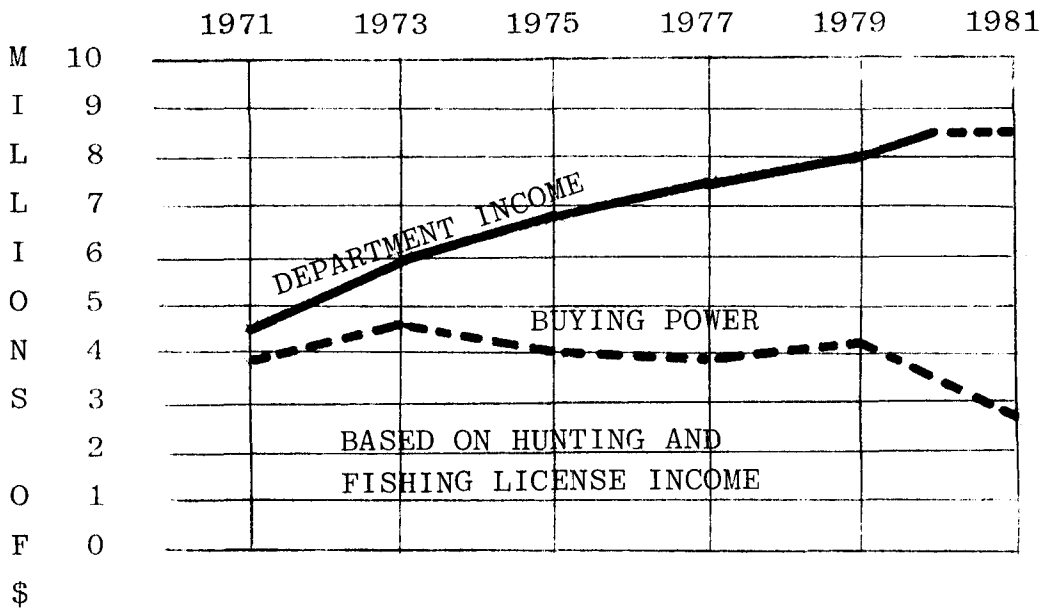


WHERE THE MONEY GOES

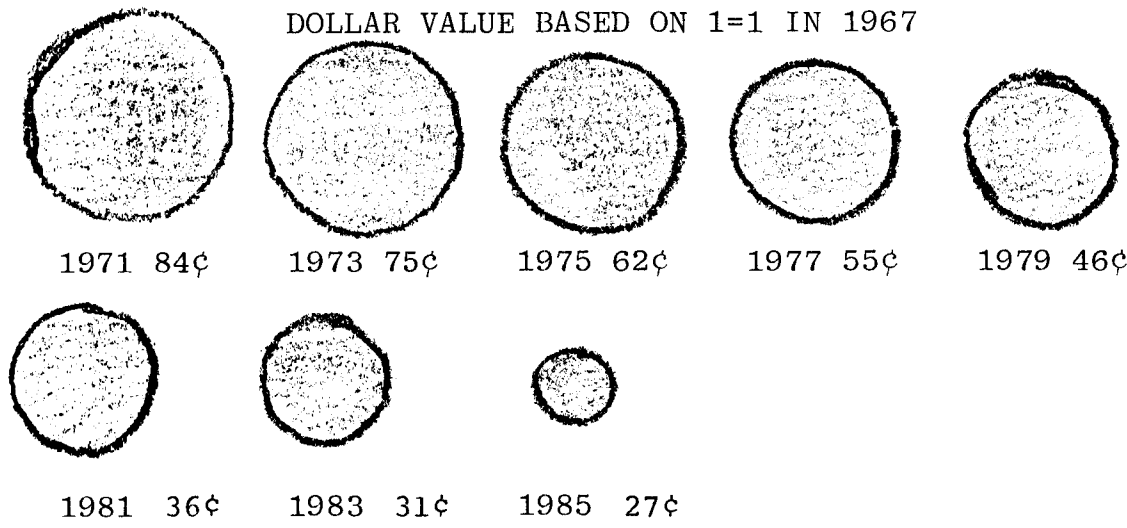
(F.Y. 1980) JULY 1, 1979 THROUGH JUNE 30, 1980



EROSION OF BUYING POWER



DOLLAR VALUE BASED ON 1=1 IN 1967



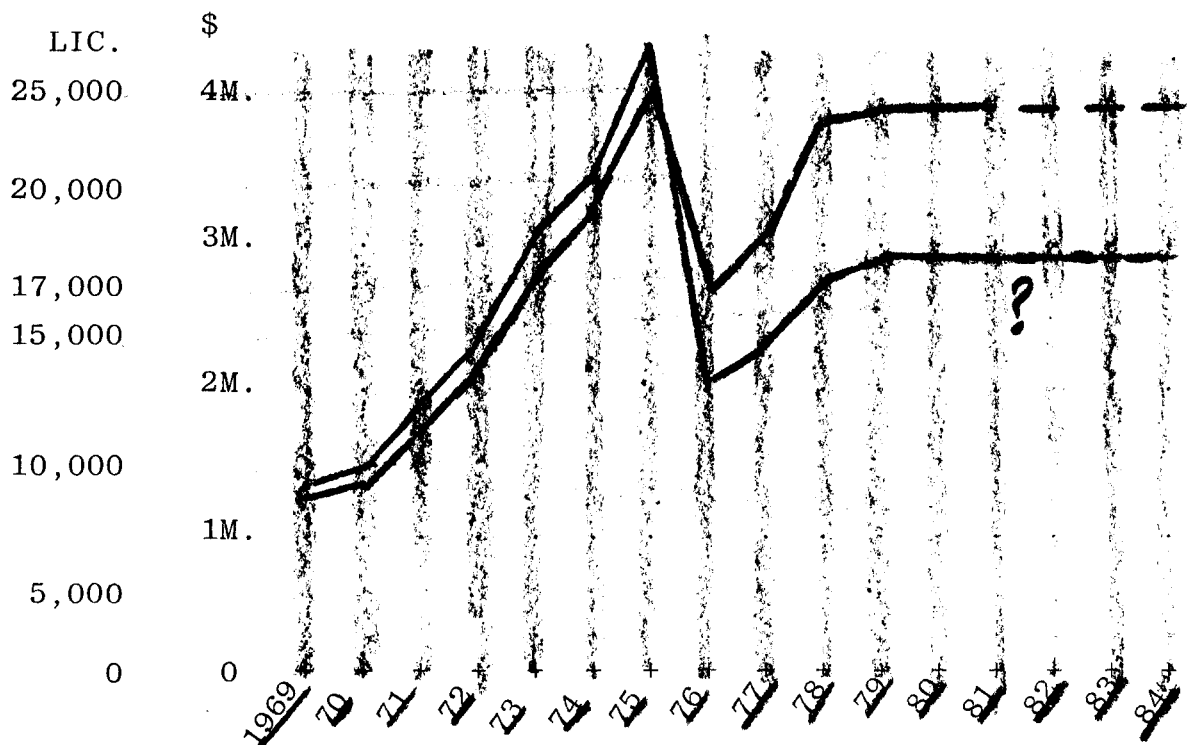
JUNE

F.Y.	MILES	GALLONS	COST	AV. COST PER GAL.	FUEL PER MILE	ORIG COST 4 W.D. PICKUP
80	3,283,29	276,544	\$276,500	98¢	08.2¢	\$7,600
79	4,455,569	397,955	398,000	64¢	05.6¢	6,300
78	3,741,688	343,977	256,000	58¢	05.1¢	5,800
77	4,173,033*	385,751*	272,000*	56¢	04.9¢	5,500
76	3,857,281	372,975	265,000	52¢	05.0¢	5,200

*13 MONTH FISCAL YEAR TO CATCH-
UP COMPLETION OF FISCAL YEAR
ACCOUNTING.

VEHICLE FLEET

NONRESIDENT COMBINATION LICENSES
15YR. PERIOD, 1969 TO 1984



BASE BUDGET

F.T.E.'s

*INCLUDES VEHICLE AND
WAREHOUSE REVOLVING
ACCOUNT.

TOTAL PERSONAL SERVICE
F.Y. 80-81 \$18,125,168/2
F.Y. 82-83 \$16,103,051/2
-11.2%

BIENNIAL 80-81	BIENNIAL 82-83	PERCENT + or -	INCREASE OR DECREASE	PERCENT	BIENNIAL 80-81	BIENNIAL 82-83	PERCENT DECREASE
CENTRALIZED S.	7,068,547*	5,799,789*	1,268,758	- 17.9	141.76	107.30	- 24.3
ECOLOGICAL S.	1,716,433	1,815,461	99,028	+ 5.8	76.70	58.32	- 24.0
FISHERIES	4,615,051	3,978,644	636,407	- 13.8	185.05	144.34	- 22.0
LAW ENF.	5,199,160	5,129,273	69,887	- 1.3	185.98	156.00	- 16.1
WILDLIFE	5,519,782	5,179,368	340,414	- 6.2	177.69	149.06	- 16.1
REC. & PARKS	6,367,326	5,935,429	431,897	- 6.8	161.43	145.84	- 9.7
CAPITAL	10,811,104	4,170,500	6,640,604	- 61.4			
CONS. EDUCATION	1,945,924	1,933,860	12,064	- 0.6	58.42	43.64	- 25.3
ADMINISTRATION	925,210	720,671	204,539	- 22.1	28.38	17.50	- 38.3
TOTAL	44,168,537	34,662,995	9,505,542	- 21.5	1,015.41/2	822.00/2	- 19.0%

FEE INCREASE BUDGET

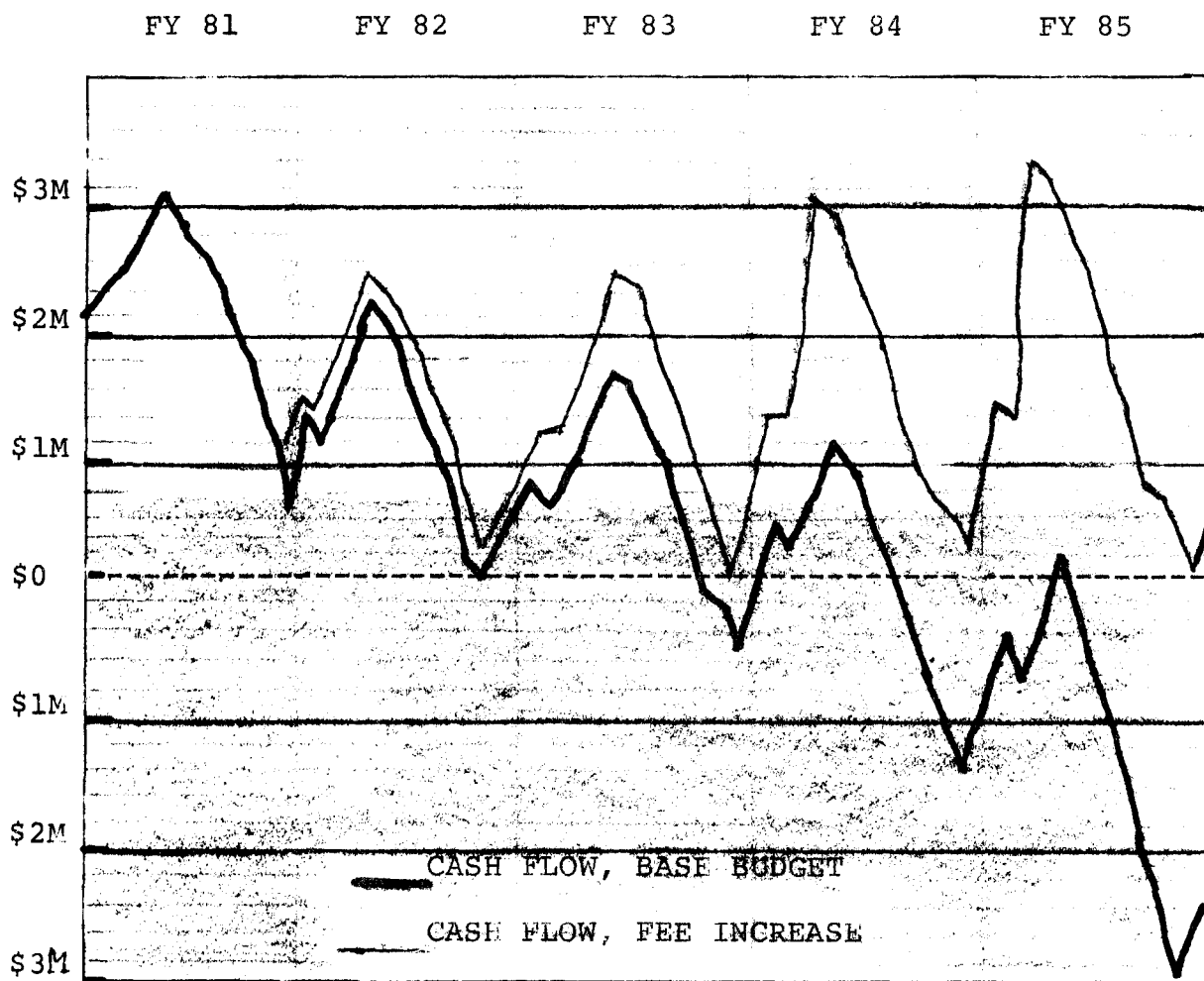
F.T.E.'s

BIENNIAL 80-81	BIENNIAL 82-83	PERCENT + or -	INCREASE OR DECREASE	PERCENT	BIENNIAL 80-81	BIENNIAL 82-83	PERCENT DECREAS
CENTRALIZED S.	7,068,547*	6,102,537	966,010	- 13.7	141.76	125.30	- 11.6
ECOLOGICAL S.	1,716,433	1,997,596	281,163	+ 16.4	76.70	61.70	- 19.6
FISHERIES	4,615,051	4,445,494	169,557	- 3.7	185.05	164.30	- 11.2
LAW ENF.	5,199,160	5,659,163	460,003	+ 8.8	185.98	176.98	- 4.8
WILDLIFE	5,519,782	5,663,218	143,436	+ 2.6	177.69	160.89	- 9.5
REC. & Parks	6,367,326	6,364,267	3,059	- .05	161.43	159.92	- .9
CAPITAL	10,811,104	4,170,500	6,640,604	- 61.4	58.42	50.12	- 14.2
CONS. EDUCATION	1,945,924	2,161,862	215,938	+ 11.1	28.38	23.00	- 19.0
ADMINISTRATION	925,210	857,015	68,195	- 7.4	1015.41/ ²	922.21/ ²	- 9.2
TOTAL	44,168,537	37,421,652	6,746,885	- 15.3			

*INCLUDES VEHICLE AND
WAREHOUSE REVOLVING
ACCOUNT.

TOTAL PERSONAL SERVICES
F.Y. 80-81 \$18,125,168/²
F.Y. 80-83 \$17,710,970/²
-2.3%

PROJECTED CASH BALANCE - 02131



BASE BUDGET CASH FLOW LINE
DOES NOT INCLUDE ANY HUNTING
OR FISHING LICENSE FEE INCREASES

FEE INCREASE CASH FLOW LINE
REQUIRES HUNTING & FISHING LI-
CENSE FEE RECOMMENDATIONS
CONTAINED IN CHART 12

CHART 12
MONTANA DEPARTMENT OF FISH, WILDLIFE & PARKS
HUNTING AND FISHING LICENSE FEE RECOMMENDATIONS
FY 82/83 BIENNium

LICENSE	PRESENT FEE	RECOMMENDED FEES MAY 1, 1981	RECOMMENDED FEES MAY 1, 1982	RECOMMENDED FEES MAY 1, 1983
License Dealer Fee	.15¢	.15¢	.30¢*	.30¢
Resident Wildlife Conservation License	1.00	3.00*	3.00	3.00
Resident Fishing	5.00	5.00	7.50*	10.00*
Nonresident Wildlife Conservation License	1.00	3.00*	3.00	3.00
Nonresident 6-Day Fishing	10.00	10.00	Eliminate	Eliminate
Nonresident Season Fishing	20.00	20.00	40.00*	40.00
Nonresident 2 Day Fishing (a)	2.00	2.00	4.00*	4.00
Paddlefish (b)	-0-	-0-	5.00*	5.00
Resident Bird	4.00	4.00	5.00*	6.00*
Nonresident Bird	30.00	30.00	40.00*	40.00
Turkey (c)	2.00	2.00	5.00*	5.00
Duplicate	3.00	3.00	Max. of 25.00* (d)	Max. of 25.00 (d)
Resident Deer	7.00	7.00	8.00*	10.00*
Resident Elk	8.00	8.00	10.00*	12.00*
Youth Bird	2.00	2.00	3.00*	3.00
Youth Elk	2.00	2.00	3.00*	3.00
Youth Deer	2.00	2.00	3.00*	3.00
Sportsman's License	35.00	35.00	40.00*	40.00
Nonresident Big Game License	225.00	225.00	300.00*	325.00*
Nongame Certificate	5.00	Eliminate	Eliminate	Eliminate
Resident Antelope	5.00	5.00	10.00*	10.00
Resident Moose	25.00	25.00	50.00*	50.00
Resident Sheep	25.00	25.00	50.00*	50.00
Resident Goat	15.00	15.00	25.00*	25.00
Nonresident Moose	150.00	150.00	250.00*	250.00
Nonresident Sheep	150.00	150.00	250.00*	250.00
Nonresident Goat	150.00	150.00	250.00*	250.00
Resident Bear	6.00	6.00	10.00*	10.00
Resident Grizzly	25.00	25.00	50.00*	50.00
Nonresident Grizzly	150.00	150.00	250.00*	250.00
Resident Mountain Lion	5.00	5.00	25.00*	25.00
Nonresident Mountain Lion	100.00	100.00	250.00*	250.00
Trappers	10.00	10.00	25.00*	25.00
Falconers License	3.00	3.00	25.00*	25.00
Special Deer Fee	1.00	Eliminate	Eliminate	Eliminate
Special Elk Fee	1.00	Eliminate	Eliminate	Eliminate
Drawing Fee (b)	-0-	5.00*	5.00	5.00

Notes:

- * Price of license has changed from previous year.
- (a). Currently there is a Nonresident 1 Day Fishing license. The Department would recommend changing this to two days.
- (b). New license or fee.
- (c). Resident and nonresident license.
- (d). The Department recommends that duplicate licenses be purchased for the original price of the license up to a maximum of \$25.00.

CHART 3

 DEPARTMENT OF FISH, WILDLIFE, & PARKS
 HUNTING AND FISHING LICENSE FEES
 REVENUE IMPACT OF RECOMMENDED CHANGES

License	Quantity Sold (a) Last License Yr.	May 1, 1981 Change	Annual Revenue Impact	May 1, 1982 Change	Annual Revenue Impact	May 1, 1983 Change	Annual Rev. Impact
License Dealer Fee	843,649 (b)			15¢ increase	(126,546)		
Res. W.L. Cons. Lic.	282,615	+ \$2	\$565,230				
Resident Fish	172,654			+ \$2.50	431,635	+ \$2.50	\$431,635
Nonres. W.L. Cons. Lic.	97,795	+ \$2	\$391,180				
Nonres. 6-Day Fish	23,427			Eliminate	(\$234,270)		
Nonres. Season Fish	14,396			+ \$20.00	287,920		
Nonres. 2-Day Fish	127,469			+ \$2.00	254,938		
Paddlefish (c)	4,000 (d)			+ \$5.00	20,000		
Resident Bird	60,996			+ \$1.00	60,996	+ \$1.00	60,996
Nonres. Bird	2,480			+ \$10.00	24,800		
Turkey	3,900			+ \$3.00	11,700		
Duplicate	2,293			+ \$22.00 (e)	22,930 (e)		
Resident Deer	119,260			+ \$1.00	119,260	+ \$2.00	238,520
Resident Elk	80,108			+ \$2.00	160,216	+ \$2.00	160,216
South Bird	4,082			+ \$1.00	4,082		
South Elk	4,903			+ \$1.00	4,903		
South Deer	8,439			+ \$1.00	8,439		
Sportsman License	2,330			+ \$5.00	11,650		
Nonres. Big Game	17,000 (f)			+ \$75.00	1,275,000		
Big Game Certificate	120	Eliminate	(600)				
Resident Antelope	15,855			+ \$5.00	79,275		
Resident Moose	563			+ \$25.00	14,075		
Res. Bighorn Sheep	809			+ \$25.00	20,225		
Resident Mountain Goat	401			+ \$35.00	14,035		
Nonres. Moose	12			+ \$100.00	1,200		
Nonres. Bighorn Sheep	176			+ \$100.00	17,600		
Nonres. Goat	22			+ \$100.00	2,200		
Resident Bear	9,694			+ \$4.00	38,776		
Resident Grizzly	472			+ \$25.00	11,800		
Nonres. Grizzly	112			+ \$100.00	11,200		
Res. Mountain Lion	614			+ \$20.00	12,280		
Nonres. Mountain Lion	111			+ \$150.00	16,650		
Trappers	4,503			+ \$15.00	67,545		
Falconers	62			+ \$22.00	1,364		
Special Deer & Elk Fees	53,312	Eliminate	(\$53,312)				
Drawing Fee (c)	70,000 (g)	+ \$5.00	\$350,000				
GROSS ANNUAL REVENUE INCREASE			\$1,252,498		\$2,550,380		\$891,367
Anticipated Drop in Quantity Sold (10%)			(125,249)		(255,038)		(89,136)
NET ANNUAL REVENUE INCREASE			\$1,127,249		\$2,295,342		\$802,231

- (a). May 1, 1979, to April 30, 1980
 (b). Number of licenses sold statewide at license dealers.
 (c). New license or fee
 (d). It is estimated there are about 4,000 anglers fishing for paddlefish each year in Montana. The license would apply to both residents and nonresidents.
 (e). Price of each duplicate sold will vary, depending on cost of original license. Most lost licenses should cost about \$10 under new proposed fees. \$10 per license was used to calculate annual revenue impact.
 (f). Limited by law to 17,000.
 (g). Approximate number of drawing applications in 1980

LAST YEAR LICENSE FEE WAS INCREASEDLICENSEYEAR

Resident Wildlife Conservation License	1976
Resident Fishing	1974
Nonresident Wildlife Conservation License	1976
Nonresident 6-Day Fishing	1974
Nonresident Season Fishing	1974
Nonresident 1-Day Fishing	1974
Paddlefish	New License
Resident Bird	1976
Nonresident Bird	1976
Turkey	1959
Duplicate	1979
Resident Deer	1976
Resident Elk	1976
Youth Bird	1976
Youth Elk	1976
Youth Deer	1976
Sportsman License	1976
Nonresident Big Game	1976 (\$225), 1968 (\$150), 1948 (\$100)
Nongame	1976
Resident Antelope	1976
Resident Moose	1966
Resident Sheep	1966
Resident Mountain Goat	1966
Nonresident Moose	1980
Nonresident Sheep	1980
Nonresident Mountain Goat	1980
Resident Bear	1976
Resident Grizzly	1976
Nonresident Grizzly	1980
Resident Mountain Lion	1972
Nonresident Mountain Lion	1980
Trappers	1946
Falconers	1971
Drawing Fee	New

COMPARISON OF SELECTED MONTANA HUNTING AND FISHING LICENSE FEES
WITH THE AVERAGE FEES FOR 12 WESTERN STATES

<u>License</u>	<u>Montana's Present Fee</u>	<u>Montana's Proposed Fee (1982)</u>	<u>Average Fee 12 Western States</u>
Nonresident Big Game	\$225.	\$300.	\$335.50
Resident Deer	\$ 7.	\$ 8.	\$ 8.10
Resident Elk	\$ 8.	\$ 10.	\$ 19.50
Resident Antelope	\$ 5.	\$ 10.	\$ 17.10
Resident Fishing	\$ 5.	\$ 7.50	\$ 8.46
Nonresident 2-Day Fishing	\$ 2.	\$ 4.	\$ 5.03
Resident Bird	\$ 4.	\$ 5.	\$ 6.59
Resident Moose	\$ 25.	\$ 50.	\$ 47.33

STATEMENT OF INTENT
TO ACCOMPANY HOUSE BILL 200

The amendments found in subsection (4) of section 87-2-202, MCA, (Section 2 of HB 200) are specifically designed to prevent the Department of Fish, Wildlife, and Parks from issuing a two-part conservation license as has been done in the prior two years. It is the intent of the Legislature tht the Department issue a wildlife conservation license annually. The Department may not charge more than a year's annual fee at one time to an applicant.

PROPOSED AMENDMENTS
HOUSE BILL 200

1. Amend Title, line 9.
Following: "PERMITS;"
Insert: "clarifying the details concerning issuance of a
wildlife conservation license;"
2. Amend page 2, line 23.
Following: "issuance."
Insert: "A license may only be issued for one year at a
time, and the department may not require an applicant for a
license to purchase a license or licenses for a period
greater than one year."

PROPOSER

HB. 200 -

HON. CHAIRMAN & COMMITTEE -

I EVERETT W. MILLER OF PHILIPSBURG - MONT
A OUTFITTER & TAX PAYER OF GRANIT COUNTY
SUPPORT THIS BILL.

WE KNOW THAT NO BUSINESS, PUBLIC OR PRIVATE
CAN SURVIVE IN THIS TIME OF DOUBLE DIGIT
INFLATION, WITH OUT INCREASED INCOME.

I HAVE IN MY BUSINESS INCREASED MY
FEES AT A ANNUAL RATE OF 12% EACH YEAR
BUT ALSO HAD TO CUT MY OVERHEAD TO
STAY EVEN,

THE FISH & GAME MUST DO THE SAME BUT
THESE CUTS MUST BE MADE WHERE THE EFFECTIVENESS
OF DEPT. IS NOT CRIPPLED. IN FACT THE ENFORCEMENT
MUST BE INCREASED. AT ALL COST. WHAT IS THE
USE OF HAVING MOVE GAME IF WE CANNOT PROTECT
IT FROM THE POACHERS AND ILLEGAL HUNTER, THIS
BILL WILL INCREASE THE NUMBER ILLEGAL HUNTERS

IN STUDYING THE DEPT. SUMMARY OF BUDGETS
FOR FY 82 & 83 AND EXECUTIVE BUDGET + L.F.A. RECOMM -
ENDATION THAT ENFORCEMENT IS RECOMMENDED
TO BE REDUCED IN SIZE AND SCOPE.

ON THE EXECUTIVE BUDGET PAGE 11 IT IS
STATED THAT THE ENFORCEMENT DIVISION,
IS THE DEPARTMENT'S LARGEST USER OF LICENSE
INCOME. BUT LET US REMEMBER THAT A GREAT
DEAL OF MONEY COMES TO THE DEPT. BECAUSE
OF THE LICENSE THAT ARE SOLD. LICENSE SALES
FOR 79 TOTALLED \$8,467,278,

HOW ENFORCEMENT IS BUDGETED FOR FISCAL
YEAR 1981 AT \$2,688,719 FISCAL 1982 - \$2,948,553
FISCAL 1983 \$3,164,872

TOTAL EXPENDITURES FOR THE DEPT. PROPOSED
ARE FISCAL YEAR 1981 \$16,461,372 FISCAL 82 \$17,050,860
FISCAL YEAR 83 \$18,188,226

I ASK YOU GIVE THIS BILL H2200 A due
PASS RECOMMEDATION BUT PLEASE SEE
THAT THIS MONEY'S IS SPENT TO PROTECT
PRESERVE, AND IMPROVE, THE WILDLIFE,
FISH IN THE STATE OF MONTANA.

THE PURCHASERS OF LICENSE WANT TO
SEE THIS MONEY AT WORK IN THE FIELD'S
NOT SPENT IN PROPAGANDA TELLING US WHAT
A GOOD JOB THE DEPT. IS DOING.

THE PUBLIC FOR THE LAST TEN YEARS
HAS ASK FOR MORE WARDENS IN THE FIELD
THEY HAVE RECEIVED ONLY NIPP SERVICE
EVERY YEAR, NOW YOU HAVE THE CHANCE
TO GIVE TO YOUR CONSTITUENTS WHAT THEY
WANT.

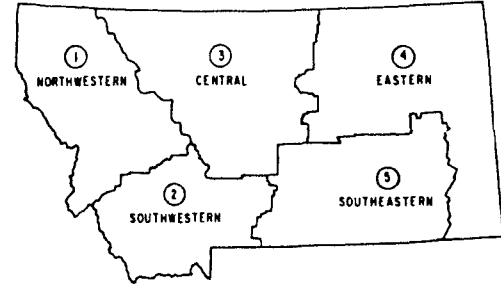
THANK YOU
Everett L Miller

EDUCATION - CONSERVATION

Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION

January 29, 1981



Good Afternoon. My name is Wilbur Rehmann, Executive Director of the Montana Wildlife Federation. I appear before you on behalf of our approximately 2000 members and on behalf of our twelve affiliated sportsmens clubs scattered across the state.

The Montana Wildlife Federation and its sportsmen members support HB 200, the license fee increase for the Department of Fish, Wildlife and Parks.

Why are the sportsmen and women of Montana willing to rais our fees? Is it because we are starry-eyed idealists who care nothing about finances?

The answer is no, we are family people, working people who know the value of a dollar used wisely, even stretched as far as possible. We have been forced to live within our means and to tighten our family budgets.

We have said the same thing to the Department - tighten your belt and tighten up your budget. Sportsmen clubs have been discussing this budget for the last few months. We have worked with the Director to find ways to utilize personnel more efficiently, we have suggested many cuts.

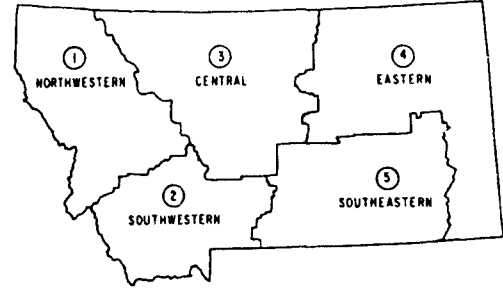
This bill, HB 200, is a result of those discussions. Director Flynn has made many cuts and tightened where ever possible. This fee increase is already a bare bones budget. Land acquisition is severely restricted, something that sportsmen hate to see but realize is necessary. There will be personnel cuts even with this budget. And there will be changes in our opportunities to hunt and fish.

Sportsmen are not happy about any of those changes. But, we are realists and we realize that the Department like our families has to live within a balanced budget.



Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION



HB 200

page 2

Wildlife is a valuable asset to the states economy. Montana residents and out-of-state sportsmen paid over \$128 million into this state's economy in 1978. Hunters and fisherman traveling across the state to their favorite fishing and hunting haunts increase the local prosperity of each town they come to. Wildlife and recreation pursuit translates into paychecks for Montanans supplying service like restaurants, motels, retail outlets, meat processing, equipment rental, dude ranching, gasoline and transportation.

Over 1,000 resident outfitters and guides earned \$13.5 million in 1979, mostly from non-residents seeking elk in high country, deer on the plains, or trout in a quiet stream. A financial multiplier effect causes these dollars to double their value as they move through the economy and spread their wealth across the state.

Even though the states general economy benefits from people coming here to see, photograph and pursue wildlife, no Montana state general tax dollars pay for any fish or wildlife management work. Sportsmen, the users, pay.

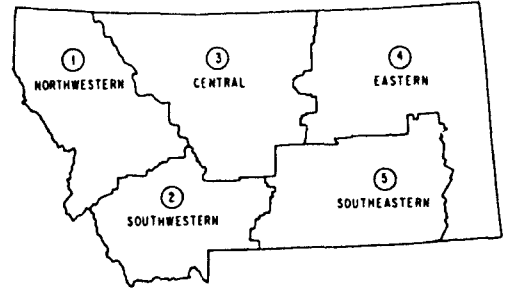
Hunting license dollars pay for the state hunting program including management as well as free services like hunter safety training for Montana's young hunters.

The Department of Fish, Wildlife and Parks is responsible for providing much of what we as sportsmen and the recreation industry in general rely on; observable and huntable wildlife populations, and natural resources attractively managed. The Department's problem today is money. Without a license increase, and with continued services at present or slightly reduced levels in the face of present inflation, the Department will be \$3 million in the red by June 30, 1982.



Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION



HB 200

page 3.

Sportsmen and their families believe in a balanced budget and we want to see a continuing effort to maintain quality recreation in Montana.

The Board of Directors unanimously supports the license fee increase and respectfully requests you pass HB 200. Thank you.

A handwritten signature in cursive script, reading "Wilbur W. Rehmann", is written over a horizontal line.

Wilbur W. Rehmann

Executive Director

Montana Wildlife Federation



Chairman Ellison and Committee Members:

My name is Michael Larkin. I am a student of wildlife biology at the University of Montana and chairman of the Legislative Committee of the Wildlife Club.

A recent survey by the University of Montana Bureau of Business and Economic Research states that in 1979 35% of Montanans hunted, 58% fished, and 75% of all Montanans participated in outdoor recreation activities.

Montana's rich endowments of natural resources and beauty provide constant enjoyment for Montanans of all ages--to say nothing of the millions of non-residents who travel, fish, hunt, and vacation in Montana yearly. The Department of Fish, Wildlife and Parks is entrusted with the responsibility of managing and maintaining Montana's resources "in a manner that will benefit current and future generations of Montanans." In order to fulfill their obligation the Department must be adequately funded. With the immediate threats imposed by rampant inflation and increased demands on our natural resources, any delinquency in funding necessary to ensure proper protection of these resources will surely result in the loss of many of the habitats and animals which make Montana uniquely beautiful among the states.

Currently, the Department's major sources of funding are revenues from hunting and fishing license sales and federal excise taxes on hunting and fishing equipment. It is important to note that the federal money cannot be fully utilized without sufficient "matching" state money. License fee revenues are by far the greatest source of state income for the Department.

The last major change in resident fees was in 1976. Since that time, the Department has been able to maintain its level of buying power by increasing license sales. However, future license sales are not expected to provide the funding necessary for maintaining current management and educational efforts.

Montana's present license fees are low compared to other Western States. Even the proposed increases--to be implemented gradually over a three year period--fall below the average license fees of the Western States in a number of areas. The proposed Montana increases were developed by competent and responsible public administrators without incentive for personal gain. The increases represent a minimum requirement for perpetuating the Department's present programs.

As a young student currently investing in my own future, I ask you to carefully consider the future consequences of reduced buying power:

- reduced hunting and fishing opportunities.
- a smaller capability to manage fish, wildlife and cultural resources against intensifying land uses.

- inadequate care of state-owned wildlife lands and fishing access sites.
- a reduced capability to acquire additional wildlife lands desperately needed to offset continued habitat losses.
- possible curtailment of the Montana nongame management program.

Clearly, if we hope to continue enjoying the benefits of our natural resources, and if we care about the quality of the world into which we bring our children, we must act now to ensure the survival of our wildlife resources. The U. of M. wildlife members have signed a petition to you voicing their concern, and have asked me to present it to you. Therefore, I would ask that this committee consider their concern, and I personally ask you to look favorably upon the license fee increases proposed by the Department of Fish, Wildlife and Parks in House Bill #200. Please support the passage of this important document into Montana Law.

Thank you,



Michael Larkin

6

Chairman Ellison + Committee Members of the
House Fish + Game Committee:

We, the under-signed, representing the University of Montana Wildlife Club, support the license fee increases proposed by the Department of Fish, Wildlife + Parks in House Bill 200. We recognize that the Department cannot properly manage Montana's precious natural resources without proper funding. Inflating costs of resource management and increasing pressures on our natural resources demand that we invest continuously to ensure their preservation. The increases the Department is proposing are minimum increases aimed at maintaining current management efforts. Therefore, we ask that you support the passage of House Bill 200 for our benefit and that of future Montanans.

Thank you.

Michael Lytle

Matthew Turner

Randall W. Atkins

David D. Decker

Debbie Applegate

Couglas H. Drake

Jerry J. Wane

Nancy Fleming

Anthony J. Coe

Kevin C. Coyle

Anson Lucachick

Peter O. Metzger

Ann Humphrey

Allen E. Hill

Kathy Swift

Greg Risdahl

John Brown

Scott Ravell

Lori Campbell

Barb McLean

B. M. McLean

Charles R. Weidner

Sam M. Helanko

Cindy Osmundson

Chadwick Gilles

Scott Zimmerman

Dean Marsh

Dennis Riley

Greg F. Potter

Peter W. Leach

Nancy K. Winstrom

Chris Hill

1/28/81

In Response to House Bill 200:

An increase in state hunting and fishing license fees is essential for the continued efficient operation of our state and federal fish and wildlife services. Any additional funds made available for enhancement of non-game bird and mammal species is especially important for the preservation of these non-featured species.

Although hunters and fishermen are expected to carry the bulk for ^{the} funding of fish and wildlife projects, a proportionally higher increase in out-of-state license fees would stimulate more revenue, while at the same time, easing the economic burden placed on in-state sportsmen.

Sincerely,

Richard E. Gates

Senior, Wildlife Biology

University of Montana, Missoula.

PRESENTED BY JOHN GILPATRICK
HILGER, MONTANA

For the past three years it has been my privilege to serve on the Landowner Relations/Sportsmen Access Advisory Council to the Montana Department of Fish, Wildlife and Parks. I speak today on behalf of that group of 13 Montana men who are interested in the future of our wildlife resources and who shared a particular concern about the decline in respect and understanding between sportsmen and landowners.

I would describe our group as a study group with the ability to make suggestions to the Commission and the Department as well as interested sportsmen and landowners.

It appears quite evident that the combination of inflation and additional work dictates a sizeable fee increase for the Department of Fish, Wildlife and Parks. As a group we delved deeply into the operation of the Department and I have seen nothing that indicates lack of concern for economics or duty from the professionals in the Department.

One of the first things that our group discussed was the need for additional law enforcement. We made two recommendations as a result of this. The first resulted in the toll free violation report line. This was a small step to make it easier for citizens to aid law enforcement and fulfill their obligation and duty of self policing.

I would like to note here that this line is manned 24 hours a day and that the Helena office staff takes turns answering the phone on the off duty hours at absolutely no additional pay. The second result was what we refer to as the ex officio program whereby those Department employees outside the warden staff were allowed to take law enforcement training and then carry a badge. The results of this were astounding. Well over 100 people volunteered and took the training. Of these 75 - 80 are actually in the field. All are capable of making arrests and are doing so when needed. These are excellent examples of Department cooperation and are programs that deserve support and money.

The Department stepped up and pinpointed its conservation education efforts toward hunter ethics, hunter conduct and landowner cooperation. Radio ads and reports, TV spots and the free hunting signs and permission booklets furnished to landowners by the Department are excellent examples of work well done. We need it to continue.

These are just a couple of examples. In a time of rising costs, and particularly fuel costs, to an agency that must travel to plant fish, supervise wildlife and sportsmen, manage fish and game and their habitat, manage and protect parks and camping areas it is imperative they receive proper funding.

The increasing pressures of coal development, for example, require additional wildlife management options and law enforcement if our Montana wildlife heritage is to be properly maintained. The exploding deer populations in Montana will require extra attention if landowners, sportsmen and wildlife are to be properly served. These services require manpower and money.

It is also a self help program where hunters, fishermen and campers pay their own way. Let's let them do it right.

House of Representatives
Fish and Game Committee
Helena, Montana
Representative Orville Ellison; Chairman

Re: House Bill 200

Mr. Chairman:

My name is Ralph Holman, McLeod, Montana. As a business man I am well aware of the run away inflation we have been subjected to over the last several years. It has been necessary for me to increase fees charged clients by 10 per cent annually for several years in order to keep my Outfitter operation barely in the black. I feel that inflation must be recognized in giving consideration to the increase in license fees requested by the Department of Fish, Wildlife and Parks. License fees charged by most other like states are far above Montana fees.

While reduced spending in some areas of management may be possible, law enforcement personnel and funding for the law enforcement division have been limited or reduced to the point that currently only minimal effective law enforcement exists. This summer my Wilderness camp was occupied in July and August and in September and October for early season hunting. A Game Warden visited camp in October, to inspect camp, on his way through the area and on one occasion we met a Warden up on top of a mountain ridge in September. There was no early season checking station set up on the Boulder and none during the regular season that I know of. This is not good!

We desperately need additional Game Wardens throughout Montana including the back country, both summer and fall. Our guides frequently see violations from a distance however a guide is committed to serve clients, has no authority and it would take a day's ride on horseback out to get a Warden. I have on many occasion heard hunters brag of breaking and defying the law, that they have nothing to fear as Game Wardens, the few we have, are so restricted on mileage, time etc. they only occasionally leave town. We have good efficient and capable law enforcement personnel who will act diligently. We only have half the number we need in the field and those we have desperately need more funding. There are 66 full time Game Wardens. This means each Warden has to provide law enforcement for approximately one and one half million acres of Montana. There are also 12 Sergeants and Captains in the field part time.

Law enforcement in my opinion is not supportive and should not be considered as back up. It is a highly critical and necessary function of the Department that should receive the highest priority in order to

protect and conserve our invaluable Game and Fish resource.

Game Wardens should also act as public relations officers to establish better relations between landowners and the Department. Landowners harassed by trespass and Game damage problems like to know the Warden personally and have him stop in to see if assistance is needed. I know from experience the frustrations of gates left open and fences torn down, of spending days locating stock that left through opened gates, of locks shot off locked and private gates. Thousands of sportsmen obtain permission however we do have some bad apples that need to be stopped. Trained Wardens can successfully coordinate rancher related programs designed to protect landowners and stop game violations and property vandalism.

The majority of Outfitters who are in the field throughout the season with fishing and hunting parties, support an increase in license fees for the purpose of substantially increasing law enforcement and related programs.

Other recommendations are as follows:

- 1- Check effectiveness and cost of Ex-officio program. If program has only minimal effectiveness it should be discontinued.
- 2- Check cost of computer operation. Other systems may be substantially less costly and result in far less confusion.
- 3- The Department is occasionally plagued by delays in delivery of printed maps, forms or other material ordered from printing firms, causing disruption of Department schedules and frustrated license applicants. Penalty clauses, with teeth, should be a subject of every order to assure timely delivery of printed or other contract work.
- 4- Provide more Non-Resident deer only and antelope only licenses in Eastern Montana.
- 5- Encourage tax incentives for landowners in return for maintaining wildlife habitat, especially winter game range.
- 6- Classify late season elk hunts as special Trophy hunts.
 - Non-Resident bull elk Trophy license \$150.00 minimum.
 - Resident bull elk Trophy license 25.00
 - Cow license one half of above.


Ralph Holman

NAME Ralph HOLMAN BILL No. H B 200
ADDRESS M^CLEOD, Mont DATE Jan. 29, 81
WHOM DO YOU REPRESENT SELF
SUPPORT ☒ OPPOSE ☐ AMEND ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

attached

MONTANA AUDUBON COUNCIL
Box 1184 Helena 59624

EXHIBIT 9
1/29/81

Jan. 29, 1981

Testimony Before the House Fish and Game Committee on HB 200

Mr. Chairman and members of the Committee,

My name is Gael Bissell and I am speaking on behalf of the Montana Audubon Council. The Council represents over 1800 National Audubon members living in Montana. Our membership is closely tied to the wildlife resources of Montana and we have many hunting and fishing people amongst our members.

In view of increasing demands upon our wildlife resources by people themselves, by urban and suburban sprawl and by resource development and in light of the harmful effects of inflation on the Department of Fish, Wildlife and Parks programs, we feel the moderate increases the Department is seeking are fully justified. The Montana Audubon Council, therefore, supports HB 200.

NAME TAL RITTEC House BILL No. 300
ADDRESS WOLF CREEK DATE 1/29/81
WHOM DO YOU REPRESENT MONTANA OUTFITTERS & GUIDES ASSOC
SUPPORT X OPPOSE _____ AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

~~ATTACHED~~

WE GO ALONG SUPPORTING H. B. 200
AS LONG AS IT IS UNDERSTOOD WE SEE
MORE LAW ENFORCEMENT AND FIELD WORK.

HOUSE BILL 200

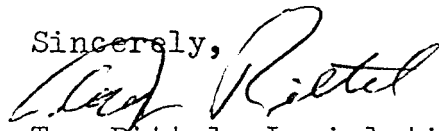
Mr. Chairman--Committee Members,

The Montana Outfitters and Guides Association would like to back the amendment of splitting the B-10 license for non-residents into individual tags for elk, deer, bear, bird and fishing. We feel the limitation of 17,000 should be placed on elk as that is what is the biggest concern of the citizens and sportsman of Montana.

We feel this would work as a management tool to keep non-resident hunters from flooding into areas of concern by residents. It would also discourage the non-resident hunter from feeling he had to make a quick western hunt for elk just because he had a elk tag. It would keep him from driving blindly from place to place or crowding into one area to conflict with resident hunters. This split of the B--10 license would give the hunter a choice and not a opening to try to kill everything on his tag.

~~We also would back a amendment to permit hunting black bear with the use of dogs and bait. Most of Montana's sister states allow this type of bear hunting now.~~

Sincerely,



Tag Pittel, Legislative Chairman

MONTANA OUTFITTERS AND GUIDES ASSO

NAME CHRIS KRONBERG BILL No. HB200
ADDRESS 202 S. FIFTA W. DATE 29 JAN 1981
WHOM DO YOU REPRESENT SELF
SUPPORT ✓ OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

FIRST, AS A BIOLOGIST, I AM PROUD OF THE JOB THAT THE BIOLOGISTS OF THE FISH, WILDLIFE AND PARKS DIVISION ARE DOING IN THE MANAGEMENT OF MONTANA'S FISH AND WILDLIFE RESOURCES. OUR FISHERIES ARE EXTREMELY IMPORTANT TO THE STATE'S ECONOMY AND WILL REMAIN SO AS LONG AS MONTANA HAS THE BEST FISHING IN THE LOWER FORTY-EIGHT STATES. TO CONSERVE THIS RESOURCE, F., W. AND PARKS MUST HAVE THE FINANCES TO DO THEIR JOB RIGHT.

MONTANA'S LICENSE FEES ARE RIDICULOUSLY LOW. EVEN THE PROPOSED 1983 FISHING LICENSE IS ONLY \$10; TEN DOLLARS WILL ONLY BUY TWO MOVIE TICKETS OR THREE SIX PACKS OF BEER. CONSIDERING THE ENTERTAINMENT VALUE, THE \$10 LICENSE IS A STEAL. THANK YOU.

MONTANA TRAPPERS ASSOCIATION

The MTA recognizes the current situation in which the Department of Fish, Wildlife and Parks finds itself. The last three years the MTA has requested site specific/species specific management... placing more strain upon the existing status of Departmental management criteria.

The Department request for a 150% license increase to be levied upon Class C trappers of this state has gained some support under the political emphasis upon decreasing enforcement ability and decreasing ability to move on requested management proposals. However, the MTA in opposition to Section 14 of HB 200's 150% increase would ask you to consider these facts:

1. The bobcat became classified as a furbearer in 1977 at our request (trappers and houndsman were now required to buy licenses to trap this former non furbearer).
2. The lynx and wolverine were added to the furbearer list in 1979.
3. In 1977 there were approximately 1200 licenses sold and there were over 5200 licenses sold during the last trapping season.

The above action and license purchases have increased the Department's revenue from over \$12,000 to more than \$52,000 (trapping licenses priced at \$10.00). This brief account of trapping license funds for the Department illustrates that revenues from trapping have continued to increase while furbearers have remained a low priority in the overall management program. And after a period of approximately four years, as testified by the Department, an overall lack of legitimate furbearer data exists.

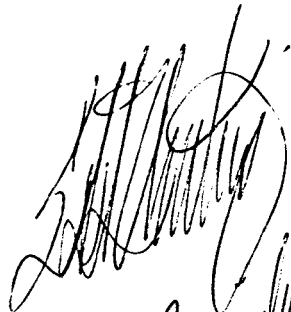
The problems the MTA sees with HB 200's proposed trapping license increase is how can the Department legitimately request such with:

1. No youth provision
2. No guarantees that the proposed license increase will bring about a better future in the management of the furbearing population of this state.

The attached newsletter is to illustrate why we have this concern about the future of furbearer management. The MTA has worked closely with the Department as this newsletter will attest. There is no other group of individuals in this state that have their fingers on the pulse of the welfare of the furbearer as does the Montana Trappers Association.

The problem as we see it is that until the Department of FWP can create a program of site specific/species specific management thereby illustrating that trapper license fee increases will be used for furbearer management the proposed license fee increase in HB 200,

Section 14 is totally unacceptable. The MTA does not entertain the thought that an increase in money will solve a very apparent problem the Department suffers in attaining a comprehensive list of priorities of its obligation to manage the furbearer populations of Montana.


President MTA.

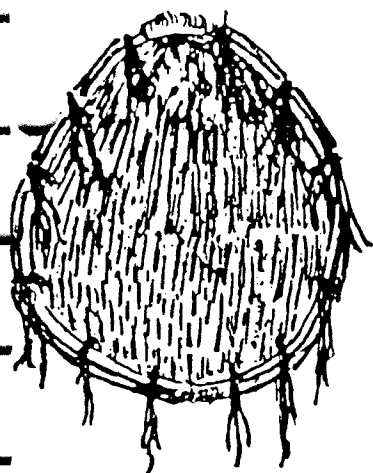
MONTANA TRAPPERS ASSOCIATION

BOX 29

SEELEY LAKE, MT. 59868

Working today for a tomorrow in trapping.
Furbearers are a RENEWABLE NATURAL RESOURCE.

December 19, 1980



Dear MTA Member:

Now that I've about gotten the rust knocked off from the end of my writing tool, I'll give it a warming up and do a little catching up since we last had contact. We've a lot to talk over, so grab yourself a cup or whatever and take a minute from your busy schedules. It's always been a sort of question of mine as to how many of our 600 take the time to read these newspieces from front to back. I am hoping that all 600 take the time to read this one, as it probably will be one of the most important that has ever hit your mailbox.

We have as an organization reached one of those crucial periods in which a decision or two could make a large change in determining our futures as trappers. Ahead by some trying times, but I feel the task will be bearable, mainly because we believe in what we are doing.

The problem that we now face is a fairly complicated one and will require a bit of history to clarify the magnitude of the situation as well as the cruciality of the solution. We will write this out in detail and end up with a sizable manuscript, however I think in the end "we'll shoot for the heart."

Since its founding, the MTA has worked very sincerely to provide a positive future for its members' livelihoods and the fur resources of this state. Wherever the place, whenever the time and whomever the group, MTA has provided its members representation. We have made some fine steps forward out from those windfalls we've often sought to stay behind. But along with those forward steps go a few times when our well intended efforts and cooperation haven't produced any positive outcome.

For the last three years the MTA has tried very hard to work cooperatively with our state Fish and Game (now Fish, Wildlife and Parks). We have spent our time and money to secure a united effort in obtaining the best possible management program for the furbearing populations the Department manages, and from which we harvest the surplus. Our years of invaluable knowledge and field observation provide the MTA with a credible testimony of the harvest side of managing our fur resources.

We found within the Department a few allies, men and women who firmly believe in and stand for well balanced management and perpetuation of our fur resources. But the bulk of what we run into in our association with the Department of FWP can be summed up in the description of a sprawling, overweight, floundering dinosaur, a bureaucracy so involved in politics and money that the management of our wildlife has definitely taken back row seat.

In the days of its founding, the foresightedness of a few extremely dedicated men was very prevalent. The idea, that the general public would need an overseer, a department with personnel to help the public manage, protect and most important to perpetuate

our state's wildlife for future generations was a truly fine thought.

Down through the years as the job of managing our wildlife resources became more complicated, the Department also grew with the same intensity. Political savvy became a requirement, money an ever increasing top priority, and management started to run along behind, getting dustier and dustier.

Now the politics were essential to a point, and so was the money, just like a body needs to eat three "squares" a day and make regular runs to the outhouse. But when one becomes so involved with these three "squares" a day and spends more and more time in the outhouse, one soon notes a drastic change in appearance, ability to function, and the field of action becomes narrowed down to a path between the fridge, table, and toilet.

One of the biggest problems that the MTA found within the Department of FWP concerning the management of furbearers, was that for the last 15 or 20 years not a heck of a lot of time or effort had been spent on furbearers. They had kind of been swept under the rug as a low priority subject. After all, one has to take into consideration the fact that furbearers do not generate a large source of revenue for the Department, nor have they been much of a subject for general public interest.

Until the recent rising pressure from the federal level of the Wildlife Division and the anti-harvest groups, not too many questions had to be answered in the way of furbearing population and perpetuation. All of a sudden the question was posed as to what kind of a population stability-management program was the Montana Department of FWP instituting to insure the positive perpetuation of those species it was responsible for.

This intense federal level and anti-harvest group line of questioning pertained directly to the fact that our state Department of FWP obtains a large portion of its annual budget from the Pittman-Robertson Act of 1964. These people sought to see if our state Department was properly using those funds for the management of all species of wildlife, which accounts for approximately 75% of their total budget.

In order to answer these growing questions and in order to obtain a comprehensive study of our state's present situation, the Department hired our first ever fur biologist, Mr. Howard Hash. Mr. Hash was to work under the direction of Mr. Gene Allen (head of the Wildlife Division) and upon the Department's request, work jointly with the MTA. The MTA saw this as a positive step in the right direction, and proceeded to begin a cooperative effort for the future.

Now the stage was fairly well set for the trapper of this state to get in on the ground floor of the decision making concerning our livelihoods. MTA felt that it might be possible to work with the Department, have our input discussed, and be instrumental in shaping up our state's furbearer management plan.

In the fall of 1978, MTA was invited to attend the annual Fish and Game Commission's dates and seasons setting meeting in Helena, Montana. The MTA was introduced, allowed to comment on the Department and Commission's decisions, and asked to work cooperatively. We drove home with high hopes and began to lay plans for obtaining a few proposals to be handed in from our side.

The fall of 1979 found MTA again at the Commission meeting offering its proposals, allowed to comment on the Department and Commission's decisions, and again asked to work cooperatively. The Commission, Department, Mr. Hash, and Mr. Allen pronounced that the trapper, harvester input was, indeed, a very valuable asset and would greatly enhance the possibility of obtaining a well rounded management program for our fur resources. But apparently, it was pointed out, we had not been instructed on how decisions were made in the Department. Mr. Hash took the time after the Commission meeting to outline procedures for the MTA to follow, so that our input could be utilized in the upcoming proposals for

So, again we drove home with high hopes, a little pounding on the dash board with resolutions to make 1980 the "year of the trapper." After all, we had the instructions right from the top on how, when, where, and with whom we were to work cooperatively. Our hopes were high and a positive future seemed firmly in hand.

Following the August Commission meeting of 1979, the MTA in cooperation with the Department of FWP (Mr. Hash) began to work intensely on coming up with a well balanced, well correlated list of management proposals. On May 9, 1980, a list of possible topics was finalized. It was labeled Bilateral Topics for Discussion, the 1980-1981 trapping regulations, a list of topics Mr. Hash and myself agreed upon that would generate a true consensus of discussion, that would encourage input to determine the upcoming management proposals. The MTA moved to district level meetings for site specific, species specific harvester discussion and input. Trappers showed an intense interest, attending in strong numbers. You offered your knowledge and judgments based upon field observation and past experiences. Mr. Hash, with a copy of the Bilateral Topics of Discussion, attended a meeting in the Beartooth Mountains with all Department of FWP regional game managers and heads of staff, in order that he might raise discussion and input from the Department's regional level personnel.

Upon the completion of this regional-district level input by both the FWP game managers and the MTA district officers, it was agreed that they were to meet to discuss and complete the possibilities at hand. The MTA prepared to comply and began to request appointments with the regional game managers of their respective MTA districts. A few problems arose. Due to the recent financial cutbacks, some FWP regions did not hold meetings and some FWP regional personnel apparently were constantly on leave of their duties.

During the meetings that were held, MTA officers found that the Beartooth meeting had produced a rather interesting outcome. At the Beartooth meeting, the FWP regional level personnel had not arrived prepared for much discussion on furbearers. Mainly because they had never been required to do so before. Faced with Mr. Hash, the newly acquired state fur biologist, and a lengthy discussion upon a topic most were a bit unfamiliar with, they simply went along with what their leadership proposed. After all, here was the new fur biologist and he seemed to have everything under control.

Some definite discrepancies arose from that Beartooth (Department of FWP) meeting. Although Mr. Hash attended with a copy of the Bilateral Topics of Discussion upon which he and I had cooperatively agreed on, the Department came away with a couple of completely rearranged proposals. It seemed that the Department had moved to take a rather hard-line, conservative, restrictive approach in dealing with a couple of situations.

The MTA moved to finalize its district level input. At a July Board of Directors meeting, a final draft of the MTA proposals for the 1980-81 season was adopted. The final result of our district level input had produced a well-balanced management program, based upon the site specific, species specific data its members had discussed and approved.

Copies of this MTA final draft were mailed to all the proper Department of FWP personnel and the FWP Commission in order to allow them time for discussion. It was apparent at this time that three major discrepancies had arisen between the MTA and the Department's proposals for the 1980-81 season.

1. The Montana Trappers Association proposed to move to reinstitute a beaver belt tagging program west of the Continental Divide. Seasons: November 1-March 31, west of the Continental Divide; November 1-April 20, east of the Continental Divide. This recommendation was based upon motions by the members in support of obtaining information on beaver population status in an area under quota restriction, in the belief that a large portion of the population in western Montana has a definite negative fluctuation

problem. It is also felt that a pelt tagging situation in a quota area would better enable the Department to enforce the quota situation and keep the possibility of illegalities from occurring on a large scale.

The Montana Department of FWP moved to adopt a statewide beaver pelt tagging program, with the reasoning that it would be difficult to topographically enforce a pelt tagging program west of the Divide while no pelt tagging situation was instituted east. (When one cuts his finger, he should wrap his entire body in a bandage.) The Department also wished to obtain data on beaver populations on a statewide basis. (One notes the Department is able to manage a very topographically complicated big game program, but seemed reluctant to attempt the same where furbearers were concerned.)

2. The MTA moved that the marten season, limit, and regulations remain the same in Regions 1, 2, and 3. It was felt that the marten population of our state was at a stable level and continuance of the present regulations would not be detrimental to the species.

The Department of FWP moved for a restriction from an eight week season to a six week season in Region 1. Mr. Dick Weckwerth, game manager for Region 1, at the meeting with MTA district officer, Mr. Wayne Harmon, as Mr. Harmon's report validates, indicated no change in the marten season; however, upon his proposal submitted to his superiors had changed his indication to a two week reduction for the Region.

In a series of contacts and correspondence with Mr. Hash regarding this matter, Mr. Weckwerth's motion was labeled as a typographical error. Upon investigation, it was covered Mr. Weckwerth had indeed moved for a two week reduction. Mr. Harmon was rather upset and asked me to investigate.

My investigation found Mr. Weckwerth had based his proposal on the assumption that the Region 1 marten harvest had risen dramatically and that the trapping license sales increase had induced a much greater amount of trapping pressure upon the Region's marten resources. Mr. Weckwerth had moved to restrict the season in 1979 to correct a problem in the Libby area. The restriction, according to Mr. Weckwerth, had still produced an increase of 251 marten for the Region. He felt a further restriction was needed, and provided past histories of other periods of restriction to curb harvest numbers.

Upon obtaining the harvest per trapper data from 1974-1980, MTA found:

<u>Year</u>	<u>Marten Tagged</u>	<u>Number of Trappers</u>	<u>Average Marten per Trapper</u>
1974-75	266	28	9.4
1976-77	768	53	14.5
1977-78	678	48	14.1
1978-79	428	43	9.5
1979-80	589	54	10.9
Total	2,729	226	11.7 per trapper

If one takes the marten tagged in year 1978-79 and subtracts that from marten tagged 1979-80, one finds Mr. Weckwerth has made a very grave mathematical error. If one looks the number of trappers per year, one can see the years 1976-80 did not show much of a drastic fluctuation in either direction, and finally, if one looks at the averages of marten per trapper the years 1974-80, one will see that they do not show any significant changes. Mr. Weckwerth commented that if any increase in marten or licensed trappers occur during the 1980-81 season, he will again move for a shorter, restrictive season.

One wonders how a man in charge of game management undertakes to regulate a FWP region from behind a 2' x 4' desk based upon the figures on paper that pass before his eyes and has an apparently serious problem with mathematical solutions can accurately and responsibly carry out his duties. And if such a problem does exist, why haven't his superiors made any effort to correct the situation? Instead, the trapper again bears the brunt of a management mistake and by incurring a much shorter season, faces the loss of being able to attempt any serious long-line harvest efforts of marten; he is reduced to a sport type situation only.

3. The bobcat-lynx situation: the international interest that has recently raised the bobcat and lynx to a very controversial status has indeed reflected upon Montana. From some of the earliest meetings with Mr. Hash and other officials of the Department of FWP, it was apparent that the federal level of questioning was rather intense pertaining to the population status of our state's spotted cat populations. The Department feared that the increased pelt value situation and its continuance were leading our state into a serious situation. Upon discussion with the Department (Mr. Hash), I agreed to inquire heavily as to population findings statewide from the data MTA members could supply.

In 1972, upon banning the use of the predatory control agent 1080, our state saw a rapid increase in the populations of certain predatory species, mainly the coyote. Along about this time the bobcat population was at a fairly stable level. It has been proven that infant mortality and predation upon young, coupled with availability of food, are the primary factors attributed to fluctuations in cat populations. With the ban of 1080, the rapid rise of coyote populations produced predation of young and extreme competition for food forcing the bobcat and lynx to suffer a significant population fluctuation. And as this was progressing, the market value of the two cats' pelts gained new high levels, creating an added population fluctuation factor. With the sudden, high interest on coyote pelts that developed, there came a sort of heaven-sent relief for one of the major problems the cats had been faced with. Aerial hunting, trapping, and general all out harvesting of coyotes resulted in a drastic reduction of their population densities to a more moderate level.

The western one-third of Montana represented a different problem for the bobcat and lynx. Large losses of prime habitat due to logging and growing land development had directly reflected heavily upon the cat populations. It was agreed by most that the western third of our state was not prime bobcat habitat but contained a habitat more suitable for the bobcat's long-legged, big-footed cousin.

As we drew close to the year of 1980, a couple of major facts increased the controversy surrounding the cats. A nationwide Defenders of Wildlife trade export embargo upon the pelts of bobcat and lynx threw a sharp curve into harvest data for the 1979-80 season. Trappers faced with a very uncertain market, high cost of trapline expenditure, and a possibility of unmarketable merchandise in the end curtailed harvest activities sharply. The year 1978-79 also produced a severe weather situation, further offsetting accurate harvest ability assessment figures. After a careful evaluation of all the facts and evidence, the MTA moved to maintain a two cat/90 day season in Regions 2, 3, 4, 5, and 6. In Region 1, three cats; Region 7, five cats, and Region 8, five cats were the recommended limits. We supported mandatory carcass turn-in in order to assist the Department in its request for more study information.

The Department of FWP proposed a statewide one cat/60 day season for the 1980-81 trapping year. The Department based its proposal on the following: during the fall of 1979, Mr. Steve Albert, with the assistance of the Department of FWP (Mr. Hash) was doing a graduate study concerning the bobcat population of the Rock Creek drainage approximately 25 miles southeast of Missoula. Mr. Albert had no previous trapping

experience; he was having a heck of a time obtaining any subjects to collar, gather field data, and begin his study. Mr. Hash requested aid from MTA, Mr. Howard Kirk and Mr. Steve Coale, both residents of the nearby area and familiar with the local cat populations. After a lengthy effort, two cats were collared and released for the study. A concern was voiced by Mr. Hash, Mr. Kirk, and Mr. Coale over the low cat population of the area.

Mr. Hash, noting the study area population combined with a low recording of pelt tagging the previous season, decided that a reduction in the western half of Montana might be needed. Upon the Beartooth meeting, FWP Regions 6 and 7 game managers moved to close both of their regions to bobcat harvest due to the increase in harvest numbers and an apparent landowner harvest problem. The mediation of FWP differences: 1 cat/60 days.

If one takes the state of Montana and splits it into thirds, correlates the pelt tag data of those thirds, one soon sees a direct reflection and corroboration with what the MTA testified to. The eastern third based upon coyote population decline and the 1979-80 season's weather allowing accessibility into back areas, harvest numbers rose significantly, a reflection upon a strong, rising cat population. The middle third of the state, based upon coyote population decline and the 1979-80 season's weather allowing accessibility to back areas, harvest numbers rose moderately, a stable and rising population of bobcats. The western third of the state, based upon habitat type, habitat loss, and decline in harvest numbers, recommended as follows: District 1 of the MTA moved for a three cat/90 day season based upon testimony from local trappers that the lynx were on the increase and bobcats seemed stable. Also, large areas of habitat were not being trapped very extensively due to Indian reservations and wilderness areas within the District. District 2 moved for either one bobcat or one lynx/90 day season and District 3, two cats/90 day season based upon harvest numbers.

The Department of FWP testimony on the status of the bobcat in Montana by these three sections of the state was rather interesting. Mr. Martin, FWP game manager for Region 7 out of Miles City, after standing up at the 1980 Commission meeting and agreeing with everything Mr. Hank Fisher (Defenders of Wildlife) had to say, pronounced that it was felt the increase shown by the pelt tag harvest data was directly attributable to the fact that trappers from North Dakota, while under the Defenders of Wildlife cat pelt export embargo, were illegally selling cat pelts in Montana. Mr. Trueblood, Region 6 FWP game manager, after conferring with Mr. Willis Kent about his assessment of the bobcat population, agreed with Mr. Kent that two cats/90 day could find support. FWP game managers from Region 4 conveyed to Mr. Craig Swick that they had been instructed from the "top" to support a one cat/60 day proposal. The western third of the state seemingly supported a one cat/60 day proposal.

During the 1980 FWP Commission meeting to set the furbearing regulations for the 1980-81 season, the MTA rose to the occasion. First the Department read its proposals and recommendations, then the MTA presented its final draft for the Commission's consideration. As you have previously read and as I stood to comment there seemed to be three points of discrepancy and so I requested that the points be aired for the Commission to consider before making its final decision.

A heated debate ensued concerning the bobcat-lynx regulation. Again and again when questioned, Mr. Gene Allen commented the Department had no data to support any increases nor did they apparently, as Mr. Allen commented, have any data to support any restriction. It seemed that the move for a reduction in harvest was needed to solve evident enforcement problems, solve a seeming bobcat population problem shown by a 25-mile radius study in western Montana, get a handle on this marketability trends depletion of the species and as Mr. Martin commented, to agree with everything Mr. Hank Fisher of Defenders of Wildlife said, as far as he was concerned.

Finally Mr. Hagensted moved that the Commission adopt the Department's recommendations. Chairman Klabunde ordered no further comments from the floor. The Commission voted and moved on to discuss the regulations for the upcoming duck season. The opportunity to discuss beaver pelt tagging and marten curtailment was never provided. The MTA Board of Directors held a meeting within an hour after the Commission voted not to accept the Department's recommendations for the 1980-81 trapping season. It was agreed that we would request a rehearing. A newsletter was mailed to you and your letters granted the MTA an appointment to meet with the Commission again, this time at Fairmont Hot Springs.

Upon arriving in Fairmont Hot Springs, where the Commission had rented a \$1200.00 a day room for its meeting, the MTA found that the Commission had voted not to reopen the hearing concerning the 1980-81 furbearing regulations. An ensuing argument occurred between the Commission, the Department, and the MTA. It seemed that while the Commission realized a mistake might have been made, the Department didn't see it as any mistake and the MTA was told that no rehearing could occur because things just weren't done that way.

Upon an assessment of all the evidence, the who said whats and did whats, it was appallingly apparent that the Department of FWP recommended its proposals, the FWP Commission rubberstamped the Department's proposals, and the trappers were damn lucky that there were only three points we disagreed upon. Now the question MTA saw was how can a decision be handed down based upon no evidence or incorrect evidence and be rammed down the throats of the citizens who will be asked to abide by those decisions? What alternative do we have?

After a lengthy look at the evidence as it was, the MTA decided to attempt legal action, political pressure, and to back up both with a legislative effort to correct this problem of "forced feeding." The MTA has hired two attorneys to do a legal investigation of just how the MTA might go about handling the Department of FWP's seeming untouchability or answerability. An injunction was discussed and pursued, only to find that all an injunction would gain would be a show of force by trappers in detaining the Department of FWP motion for a one cat/60 day season, nullification of a beaver tagging situation, and an investigation of the marten season curtailment. The major problem with any legal action against the Department is that the Department under the direction of its staff is given the right to manage the wildlife of the state at its DISCRETION. This means by law the Department can do whatever it chooses and do so without having to offer any evidence or reason why. Most of the time, as we found out, the various organizations of Montana deal with the Department of FWP through politics and related funding pressures either on Legislative fronts or organizational opportunities.

After a thorough look at this situation and after an intensive investigative effort, I think MTA has obtained the key. The MTA proposes to change the very law that grants the Department of FWP the power of DISCRETION it is allowed while managing the wildlife of this state, supposedly for the people as well as the wildlife itself.

We propose to change the law that allows the Department to dictate its wills and wants upon the citizens of this state without sufficient reason, fact or public input, to strike at the very heart of the matter; to bring back a once fine ideal of a Department managing the wildlife of this state for the benefit of the wildlife and the harvester; to put back into the field the warden who by requirement must have a four-year college education in wildlife biology but is now forced to spend 80% of his time enforcing the code; to bring out from behind those stacks of forms and piles of red tape the regional game managers, so that once again his shoes leave tracks upon the land of which he oversees. I think a bit of mud tracked in and out of the office would be a welcome change.

We need to put our Department of FWP on a strict diet; let us harvesters whose licenses and taxes support that Department become "conservative." Let's ask for management, then let's support it. We need to put things back in their proper perspective and order. Presently the Department of FWP is proposing to legislate massive increases in license fees, 150% for trappers. Your representatives, senators, and governor will discuss and decide the merits of such increases. I ask you, can you support a dinosaur that no longer functions in the realms it was designated? The MTA will need your support, your input, and your continued effort to secure a tomorrow for trapping in Montana.

Now, you probably about have your "fill" of facts, site specific/species specific and finding out just how, when, who, and what you got a sort of raw deal from. And I suppose some will throw up their hands and say holy smoke, how in the heck can I keep looking ahead; she looks pretty dim for a long ways off. I'm not going to give you any puffy promises and rightfully so nor am I going to throw up my hands. I think we've built what it's going to take to do the job and we've done so because we know it is right.

In summary, I would like to add some food for thought pertaining to the decision that you should make as a member of the MTA. If tomorrow all trapping, hunting, and fishing were to stop, no one on the payrolls of this state's Department of FWP will lose their job or their paycheck. Someone will still have to attend to "baby sitting" our state's wildlife populations.

Remember, no one but you as a trapper, member of the MTA, will stand up and fight for your rights as a trapper. If we as an organized voice of the responsible trapping body of this state wish to truly work for a tomorrow in trapping, we must take our stand today for what we as an organization have adopted as our purpose.

Rocky Mountain Fur Exchange is again offering the trappers of this state, as well as one of its neighbors, the opportunity to sell their furs on a well organized, highly competitive, sealed bid auction. Last year the trapper of Montana who sold fur through RMFE and indicated the 1% of the 4% commission to go to the MTA raised \$1600.00 for the MTA. We sincerely wish to again thank all who attended and helped our state trapping association's treasury.

Be sure to note the dates of the fur auctions on the flier enclosed.

Fur trade bulletin -- Mr. Bob Young and Mr. Donnie Judkins of Pacific Hide and Fur of Great Falls, Montana, have asked the MTA to expose a couple of their comments to its membership. This year's market will find well cared for, properly handled, prime fur bringing good sound prices. Poorly handled, unprime goods will find a very low, if any, market value. The difference between a healthy fur check and a poor one will be your ability to make that journey from trapline to fur shed to market and produce quality merchandise.

Coyote -- good market for quality fur, price about the level found last year.
 Fox -- strong market, a lot of 70-75.00 fox pelts, if prime and well handled.
 Beaver -- good demand for top skins; unprime, poorly handled, low market value.
 Muskrat -- strong demand, good color, good average size, 6-7.50.
 Coon -- well handled, dark, prime coon are moving.

Badger -- market somewhat off from last year, only top quality moving.

Skunk -- fairly good market.

Marten -- indications of a poor market.

Bobcat -- strong market, quality merchandise, bring good prices.

Wolverine -- good market indication.

Weasel -- good.

Lynx -- strong market for quality work; market somewhat sluggish.

Mr. Willis Kent recently accepted a job in the state of Wyoming doing predator control for a county department. Upon his leaving, we've appointed Mr. Harley Hankins of Opheim, Montana, as the MTA director for District 6. Mr. Kent also was Montana's National Trapper Association director. Upon his leaving, we appointed Mr. Craig Swick, Lewistown, Montana, to take over the job, with the approval of the Board of Directors.

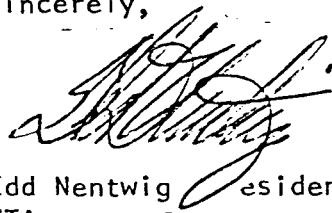
Willis Kent is one of the finest men I've ever been able to call a friend. His efforts, contributions, and friendship will always be a vital part of why the MTA has flourished. I'm sure, come rendezvous, we'll see the Kent family's familiar faces again. Like Willis commented on his leaving, six or seven hundred miles isn't far for friendship to stretch.

Before I close, I'd like to take a minute and thank all those individuals and companies who contributed to the MTA this Fall Rendezvous. They support our states' trapping organization with donations, time, and much personal effort. They include:

Fuller and Ruth Laugeman -- Big Sky Lures
 Keith and Lois Gregerson -- Gregerson Manufacturing
 Craig and Dana O'Gorman -- O'Gorman Lures
 Jim and Toni Cochran -- Duece Creek Fur Farm
 Mr. Lee Draeger -- Woodaire Stoves, Condon, Montana
 Mr. Jerry Lee -- President of Woodaire Stoves
 Mr. Wayne "Butch" Harmon -- Swan Valley Cutlery
 Mr. Jerry Malson -- Trout Creek Fur Farms
 Mr. Craig Swick -- Rocky Mountain Fur Exchange
 Mr. Bob Young and Mr. Donnie Judkins -- Pacific Hide and Fur of Great Falls
 Mr. Dave Hanson -- Harmon Hide and Fur of South Dakota

From all the officers, directors, and people who make this outfit tick, we wish all of you a very Merry Christmas and a Happy New Year.

Sincerely,



Edd Nentwig President
 MTA

NAME HENRY D. TAYLOR BILL No. H.B. 200
ADDRESS 6231 Ninety 12 West DATE Jan. 29, 1981
WHOM DO YOU REPRESENT SELF
SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I feel that this bill is inflationary,
and not in the best interest of the
residents of the State of Montana.

There are seriously economic problems
in our entire state, not only with our
Fish, Wildlife and Parks department, but
in the private sector as well. It seems
that increasing our hunting and fishing fees
by as much as 200% in some cases,
and following this bill with one calling
to reduce our non-resident license quota
will hurt our private economy, decrease
fish and game income, and promote a
rash of poaching which our state's
wildlife can only suffer from.
I agree with raising the fees on

trophy species, but my family is not
in a situation to afford such
outrageously inflationary license fee
increases for a job that is done
quite often by ranchers and landowners
across our State, and not our
extravagant ideas imagined by
the Dept. of Fish, Wildlife and Parks.

I am here to address H B 200 on the license increase. I believe that the Fish & Game Department has to shift their priorities on how they spend the sportsman money. ~~There are~~ ^{There are} items that I think should be ~~considered for~~ ^{considered for} a change. ~~and~~ the maps. They are too big to hand to read and cost too much to print, the cost of printing as stated on the map is \$14,266 and ~~Postage~~ Distribution is \$9,915, this is only a small part because the drawing of the map must be ~~remember~~ ^{remember} and it takes a good lawyer to read them.

Another area that I think of is the cost of late seasons like the one in the Gallatin. I am told by ~~Dept~~ ^{Dept} personnel that the season in the Gallatin cost between \$40,000 and \$60,000 dollars. If that is right then using the \$40,000 dollar figure it cost \$152 for a elk killed. As that count was 134 in the late season and 128 in the regular season for a total of 262 head. This is worth for operating a checking station and enforcement.

another area that I think should be ~~considered~~ considered is When the Biologist come up with a new management plan. the cost of the enforcement should be considered before these plans are enforced or put in effect.

The Reason I am bring this up is to point that the enforcement has a set budget and these plans if put more strain on their money.

When a sportsman buy a license there is 25% of the money already ear marked for the Biologist. It has to go for matching funds of federal money.

I also think that the fishing access sites should be more self supporting as to fees I don't think that the fees could even pay for the pickup of the Garbage. let alone the enforcement that it takes.

I believe that the warden should be the job that they were hired for the enforcement.

grounds so this is some of the reasons
that I think need to be answered before
any increase of license should be made.

Thank the committee and the Chairman for
the time ..

Sincerely B P Wright

Bozeman, Mont

NAME Frank E. Johnson BILL No. HB 200
ADDRESS 1109 W Broadway, MISSOULA DATE 1-29-81
WHOM DO YOU REPRESENT T.U. SELF (License Dealer)
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

~~A~~ CONSERVATION PROPOSAL
TO SAY THE LEAST,

INCLUDE A 6 DAY
NON RES. FISH LICENSE

GOOD BILL DO PASS.

NAME Bru Long BILL No. HB 200
ADDRESS 1012 Peosta Helena DATE 1/29/81
WHOM DO YOU REPRESENT SELF
SUPPORT YES OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Stephen Wrye BILL No. HB200
ADDRESS 118 N. F St. Livingston DATE 1/28/80
WHOM DO YOU REPRESENT myself
SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME TIM RICHARD BILL No. HB 200
ADDRESS EAST HELENA DATE _____
WHOM DO YOU REPRESENT PRICKLY PEAR SPIRITSMEN ASS'N
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Bob Foukal BILL No. HB 200
ADDRESS 2020 A-1 So. Rose DATE 1/29/81
WHOM DO YOU REPRESENT Trust Unlimited
SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Ross Bruner BILL No. 200
ADDRESS 19 Gardner Park Dr. DATE 1/29/81
WHOM DO YOU REPRESENT Trent Unlimited
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

License fees are user fees. I'm a user
I am willing to pay higher fees for
maintenance of services.

NAME Margaret Thompson BILL No. 260
ADDRESS ^{Box 260} Condon West DATE 1, 29, 81
WHOM DO YOU REPRESENT MTA
SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME M. W. GUARICKSON BILL No. HB 200
ADDRESS 323 So 6th DATE 1/29/81
WHOM DO YOU REPRESENT MYSELF
SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Bernard Black BILL No. HF 200
ADDRESS 300 N 7th St. Milwaukee DATE 1-29-81
WHOM DO YOU REPRESENT myself
SUPPORT _____ OPPOSE / AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME

Ken C. Chiles

BILL No.

200

ADDRESS

Leeward - Miami

DATE

Jan 29

WHOM DO YOU REPRESENT

Harold L. McCall Leg. Pres

SUPPORT

X

OPPOSE

AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

not full support

NAME Robert Van Cuylen BILL No. 200
ADDRESS E3009 Wilkey DATE 1-29-81
WHOM DO YOU REPRESENT Self
SUPPORT X With Reser OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Bill Dunham BILL No. 200
ADDRESS 342 Clarke DATE _____
WHOM DO YOU REPRESENT a fisherman, private citizen
SUPPORT ☒ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Fish + Game must have increased revenues in order to continue important fisheries studies and programs. The impact of inflation has already had a severe effect on the Dept. This proposed license increase is badly needed.

NAME Smoke Elsev BILL No. 200 House
ADDRESS 3800 Rattlesnake Dr. DATE 1/29 81
WHOM DO YOU REPRESENT self
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Support - To maintain guilty Hunting in Mont.

NAME MICHAEL CHANDLER BILL No. 200
ADDRESS 4401 SOUTH AVE. W. DATE 1/29/81
WHOM DO YOU REPRESENT WEST. MONT. FISH & GAME ASSOCIATION
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Our sportsman's organization after careful consideration and having listened to consultations on Fish & Game Dept. budget problems have voted unanimously to support this bill as we feel increased funding is absolutely necessary to maintain a viable department.

It is our understanding that the department, even with receiving increased funds as provided for in this bill will have to cut spending by 5-10% and become more efficient to provide adequate management for one of our great state's most valuable resources.

NAME R. P. Myers Jr BILL No. #13 200
ADDRESS 3460 Connelough Rd DATE _____
WHOM DO YOU REPRESENT Self
SUPPORT _____ OPPOSE _____ AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Bill Belster BILL No. HB 200
ADDRESS Box 384 Elliston DATE 1-24-81
WHOM DO YOU REPRESENT Citizens
SUPPORT _____ OPPOSE ☒ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME JOHN GRAY BILL No. _____
ADDRESS Pine, MT. DATE _____
WHOM DO YOU REPRESENT myself and wife
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Diana C. Wilmer BILL No. 200
ADDRESS Box 579 Bonner, mt DATE 1/29/81
WHOM DO YOU REPRESENT no organization -- a concerned sportsman
SUPPORT _____ OPPOSE _____ AMEND ✓

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME John Gikpatricic BILL No. H B 200
ADDRESS Belgar Mt. DATE _____
WHOM DO YOU REPRESENT Londoners - Relations / Sportsmans Across Adm. Council
SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Gael Bissell BILL No. HB 200
ADDRESS Box 184 Helena DATE _____
WHOM DO YOU REPRESENT Montana Audubon Council
SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME EDD NEWTWO 16 BILL No. 200 HB
ADDRESS Box 29 Seeley Lake MT 59868 DATE 1-29-81
WHOM DO YOU REPRESENT PRESIDENT MONTANA TRAPPERS ASSOCIATION
SUPPORT _____ OPPOSE X AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME GARY STUKER BILL No. HB200
ADDRESS Box 282 DATE 1-29-81
WHOM DO YOU REPRESENT Hill County Wildlife Assoc
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: None written

NAME Wilbur Rehmann BILL No. HB 20
ADDRESS Box 901 Helena DATE 1/29
WHOM DO YOU REPRESENT Montana Wildlife Federation
SUPPORT X OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Everett J Miller BILL No. HS 200
ADDRESS Philipsburg DATE 1/29/81
WHOM DO YOU REPRESENT Self -
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

February 2, 1981

Dear Vickie:

I am sorry I have not been able to reach you by phone. Enclosed is a typed version of my testimony in Helena on January 29, 1981 in the Fish and Game Committee hearing on license fee increases. Please see that Chairman Ellison receives a copy and preferably all the committee members.

The mountain lion/houndsman is a very specific area unfamiliar to most so I feel any information we can provide will be helpful to the legislators.

Thank you,

A handwritten signature in cursive script that reads "Diann E. Wiesner".

Diann E. Wiesner
Box 579
Bonner, Mt. 59823

Regarding Mountain Lion License Fees

The mountain lion hunters are a small group of sportsman in Montana, approximately 800. These proposed fee increases will total \$50 for the houndsman to be legally in the field, \$25 for a mountain lion license and \$25 for a trappers license to run bobcats. This is an extremely unfair burden to place on one segment of sportsmen in Montana, referring to the small increases for other big game animals.

Points to consider:

1. Houndsman have worked closely and cooperately with the Department. The vast majority of the data the Department has is provided by the houndsman.
2. Mountain lion populations are stable and increasing.
3. There is no great influx of houndsman.
4. Few^{er} licenses will be sold, if this fee increase is approved.
5. Houndsman rarely kill a mountain lion after it is treed, only the occasional trophy.
6. The Department is asking a very small segment of the hunting population to bear an unfair load of their financial difficulty.

We are asking that you review this license fee increase with the realization that financial times are tight for everyone. Many of the problems within the Department are not going to be solved by increasing license fees. With the inflationary economy we are experiencing there is no better time for the Department to reevaluate their priorities and for this Legislature to live up to the campaign promises of tightening up on State expenditures.

If any committee member would be willing to learn more about the mountain lions of this state and thereby have the best basis for evaluating the need for this excessive license fee increase, I can be reached by leaving a message at 243-2053 during the day or at home most evenings at 2585210.

Thank for the time and concern you are giving this matter.

Sincerely,



Diann E. Wiesner
Box 579
Bonner, Mt. 59823

House Bill 200

Chairman Devlin:

We feel the present non-resident big game license is unconstitutional. Hunters should not be forced to buy elk and bear tags they cannot use to hunt Eastern Montana.

We support seperate licences for deer; elk and bear with a small increase in fee for each.

Thank you,

Claude and Darlene Sayler

NAME James F. Johnson BILL No. 200
ADDRESS 2150 S 13th Missoula Mont DATE 1/29/81
WHOM DO YOU REPRESENT Western Mont Fish & Game Ass.
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: We Support HB 200. We feel that
the License Fee Increase is essential in order
to preserve + foster the Resource, (our fish +
game).

Gentlemen

I would to go on record as supporting the Department of Fish Wildlife & Parks request for a license increase.

I have a family budget as I'm sure you all do too. Inflation has made everything more expensive. I have received pay raises to help compensate for this, FW&P has not. A few extra dollars for a fishing or hunting license is not going to ruin my budget.

(over)

I think this state needs
a top quality F W + P department.
as a sportsman I don't mind
paying for it.

Sincerely

John Greene

307 S. 10th. Livingston
Montana 59047

January 29, 1931

House Bill 200 - Fishing and Hunting License Fee Increase

Personal testimony of: Harold R. Stevenson
914 W Clark
Livingston, Mt.
59047

I am a proponent of House Bill 200. I have been a resident of Montana for 37 years. I was fortunate to grow up in Montana and have the opportunity to enjoy our unmatched fish and wildlife resources.

To preserve these resources for future generations, we as Montanans are mandated to provide a sound fish and wildlife management program.

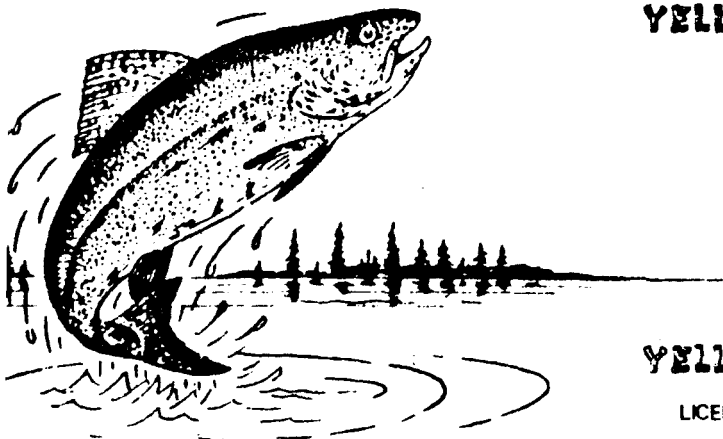
We all have felt the economic pressures that have surfaced during the past few years. These pressures have been a reality for the Montana Department of Fish, Wildlife and Parks as well.

It is apparent that we cannot maintain existing programs without the fee increases.

Sincerely.

A handwritten signature in cursive script, appearing to read "Harold R. Stevenson".

Harold R, Stevenson



YELLOWSTONE CUSTOM FLIES & TACKLE SERVICE

*Fish &
Game.*

THOMAS M. TRAVIS
P. O. Box 1320
Livingston, Montana 59047
Phone 406 - 222 - 0783



YELLOWSTONE GUIDE SERVICE

LICENSED HUNTING AND FISHING GUIDE

January 27, 1981

Dan Yardley
Pete Story
Orval Ellison

In view of the fact that I own my own small business which takes up a great deal of my time during the winter months, I am not able to attend as many of the Senate and House hearing as I would like, but I would greatly appreciate seeing my comments are passed on to those people who would be handling these hearings.

1. FISH & GAME BUDGET

I have received a copy of the Fish & Game proposed budget and the license increase proposed therein. I feel that these increases are needed and in line with the rising cost of running the Fish & Game Department. It has been since 1975 that the Fish & Game has asked for an increase, and all of us know how much the cost of living has risen since then. I feel, after giving the proposed budget careful study, that this budget must be approved if the Montana Dept. of Fish, Wildlife and Parks is going to operate with continued excellence in managing Montana's Natural wildlife resources.

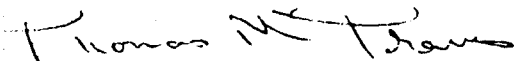
A number of years ago I moved to Montana after much careful study. First, Montana offered some of the finest hunting and fishing found in the world. Since I moved here, I have been able to start a guide service, (outfitter). I also own and operate a mail order retail and wholesale fishing tackle business. In dealing with the public everyday, I am well aware of how most Montanans view their wildlife resources. I am also well aware of the part that the outfitting industry plays in the State's economy. With tourism being a large part of our State's economy, we cannot afford to have a Fish & Game Dept. that has been financially gutted by a legislative body that is not thinking of what is best for all of Montana but are out to represent their own best interests and not the best interests of the people of Montana.

Montana has not developed problems with her Natural Wildlife Resources which have ruined segments of it, as have other states. This is largely due to the fact that in the past the Montana Fish & Game Dept. has been given enough funds to operate efficiently. Sure, the Fish & Game Dept. has made a few errors, but remember, to err is human. Don't tell me that none of our present lawmakers have never been in error. With more tourists visiting Montana each year, and the State's population continuing to expand, this is not the time to hamstring your Fish & Game Department. This would only cause suffering and hardship to both Montana's resources and people. Remember you are elected to help all the people, as fairly as possible.

2. It is my understanding, that House Bill 251 would limit Fish & Game Dept. to buying only lands with values of \$10,000 or less. All other purchases having to be approved by the legislative body, which is only in session every 2 years. I believe a more just compromise could be worked out. The limit of this bill would curtail the buying of sportsman access sites and game ranges on a yearly basis.
3. It is also my understanding that House Bill 323 would lower the quota of non resident big game licenses from 17,000 to 10,000. This would clearly injure the Fish & Game budget plus cause hardship to the State tourism economy. I believe that the present quota of 17,000 is fair and is doing nothing to injure the State's Wildlife Resources.

It is my hope that these matters will be handled in such a way that will benefit Montana and her resources and will reflect the integrity and intelligence of Montana's legislative body. If I can be of further assistance, I will be in Helena on Saturday, January 31, 1981 at Fish & Game for the meeting of the State Boat Regulations Study Committee of which I am a member.

Sincerely,



Thomas E. Travis



JOE BROOKS CHAPTER

P.O. Box 1378

Livingston, Montana 59047

January 29, 1981

Chairman Orville Ellison,

The Joe Brooks Chapter of Trout Unlimited urges your committee to give H.B. 200 a do pass.

In order to protect and maintain our fishing and hunting, we need to maintain a strong Fish & game Department. We have always had trouble maintaining a Fish & Game biologist on the Yellowstone. The information the biologist is obtaining is showing the Yellowstone River is headed for trouble in the near future with out help. Please help us.

Sincerely yours,

John Bailey
Secretary

My name is Netzy Durfey and I'm a resident of Livingston in Park County. I feel that we in Montana live in a paradise where we have abundant big game, blue ribbon trout streams and upland game birds. I want to stress how much we have and how little we are paying for it. Of all the western states research shows us that Montana residents pay the least for fishing licenses and big game licenses, ~~there~~ therefore, to help the Department of Fish, Wildlife and Parks keep up with inflation, I'm in favor of HB 200 which calls for an increase in fishing ~~and~~ and hunting license fees. The fees from these licenses are the only means of maintaining critical wildlife programs and manpower needed to maintain fish and wildlife resources for the future. I urge this committee to vote yes on HB 200.

Garfield - McCone Legislative Association

Circle, Montana 59215

Phone (406) 485-2227

Jan. 29, 1981

HB (200)-FISH & GAME LICENSE STRUCTURE

I AM GLEN CHILDERS, PRESIDENT OF GARFIELD-McCONE LEGISLATIVE ASSN., AN AGRICULTURAL ORGANIZATION COMPRISED OF APPROX. SIXTY TWO MEMBERS. I AM AUTHORIZED TO TESTIFY IN THEIR BEHALF. I AM ALSO REPRESENTING MY OWN INTERESTS AS WELL AS MANY BUSINESSMEN IN EASTERN MONTANA.

IN GENERAL WE SUPPORT ^{an} ~~THE~~ INCREASE IN LICENSE FEES ~~PROPOSED IN HB (200)~~. DUE TO INFLATION WE REALIZE THE DEPARTMENT IS IN DIRE NEED OF FUNDS FOR PROPER LAW ENFORCEMENT. WITH ^a ~~THE~~ LICENSE INCREASE WE FEEL THE BUDGET DIRECTOR COULD AND SHOULD CORRECT THIS DEPLORABLE STATEWIDE SITUATION. OUR GAME WARDENS ARE A VERY EFFICIENT BODY, OPERATING WITH THEIR HANDS TIED.

WE ALSO FEEL THE RESIDENT HUNTER HAS AND HAS HAD WHAT WE TERM "A FREE RIDE IN THE HUNTING FIELD". THE HUNTING LICENSE IS THE LOWEST COST OF THEIR HUNT. WITH THE DECREASE IN WILDLIFE HABITAT AND INCREASE IN HUNTING PRESSURE OUR WILDLIFE DESERVES MORE RECOGNITION. TAKING INTO CONSIDERATION THE COMPARISON BETWEEN THE CLASS (B-10) COMBINATION LICENSE, NOW IN EFFECT, FOR THE NON-RESIDENT, AT \$225.00, WHICH HE MUST PURCHASE, OTHER THAN A CHANCE DRAWING IN LIMITED AREAS, COMPARED TO THE CLASS (A-3) RESIDENT LICENSE IS NOT AN EQUITABLE LICENSE, ESPECIALLY WHEN WE MUST TAKE INTO CONSIDERATION THE NON-RESIDENT IS CONTRIBUTING APPROX SIXTY FIVE PERCENT OF OUR LICENSE REVENUE. USED TO PROPRGATE OUR WILDLIFE. THIS INEQUITY CAN VERY WELL ENCOURAGE A FEDERAL HUNTING LICENSE AND GAME MANAGEMENT WHICH IS IN THE MILL AT THIS TIME. LET'S NOT ENCOURAGE THIS.

THE PROPOSED INCREASE IN ANTELOPE LICENSE, DUE TO SLOW UPWARD TREND OF THE LANDOWNER[?] SPORTSMEN RELATIONS AND THE MOST LIKELY INCREASE IN ANTELOPE POPULATION ^{WOULD BE} A DETERENT TO THE PROPER HARVEST OF ANTELOPE. WE OPPOSE THE INCREASE IN ANTELOPE LICENSE FEES.

Garfield - McCone Legislative Association

Circle, Montana 59215

Phone (406) 485-2227

WE ARE OPPOSED TO THE CLASS (B-1C) COMBINATION NON-RESIDENT LICENSE AND FEEL IT SHOULD BE DELETED FROM THIS PROPOSAL AND NON-RESIDENT BIG GAME LICENSES SOLD ON THE ONE SPECIE ONE LICENSE STRUCTURE. WE FEEL THE CLASS (B-1D) LICENSE IS A FRAUD. IT IS COMPELLING THE NON-RESIDENT TO PURCHASE AN ELK AND BEAR TAG TO HUNT A DEER IN AN AREA WHERE ELK AND BEAR DO NOT EXIST. COMPELLING THE NON-RESIDENT TO PURCHASE AN ELK LICENSE TO HUNT DEER IN AN AREA WHERE THERE ARE NO ELK IS NO DIFFERENT THAN COMPELLING HIM TO PURCHASE AN ANTELOPE PERMIT IN ORDER TO HUNT ELK ALONG THE CHINEES WALL. NON-RESIDENT DEER AND ELK LICENSES SHOULD BE SOLD, A LIMITED NUMBER, FIRST COME-FIRST SERVED BASIS STATEWIDE.

THE CLASS (B-1D) COMBINATION LICENSE HAS DRASTICALLY CURTAILED THE HUNTING INCOME OF ALL BUSINESSES IN EASTERN MONTANA. MOST BUSINESSES I HAVE ENTREVUEWED, MOTELS, BARS, RESTURANTS, SPORTING GOODS STORES ETC CLAIM A SEVENTY FIVE TO EIGHTY PERCENT DROP IN THE HUNTING BUSINESS SINCE THE IMPLEMENTATION OF THE CLASS (B-1D) COMBINATION LICENSE. FOR EXAMPLE, MY OUTFITTING BUSINESS GROSSED AROUND \$62000.00 annually before implement* ING THE CLASS (B-1D) LICENSE. ALL CONTRIBUTED TO THE ECONOMY OF MONTANA. SINCE THAT TIME MY GROSS INCOME HAS DROPPED APPROX FIFTY PERCENT. THE DEPART. OF FISH, WILDIFE AND PARKS IS AWARE OF THIS.

EASTERN MONTANA SHOULD ENJOY THE FRUITS OF THE HUNTING BUSINESS AS WELL AS WESTERN MONTANA. WE ARE A PART OF MONTANA.

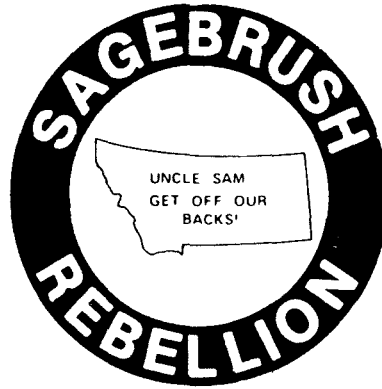
THE DEPT. DOES HAVE A ~~CLASS (A-1)~~ NON-RESIDENT DEER LICENSE THEY ARE KEEPING IN RESERVE AS A MANAGEMENT TOOL. IF WE DISCARD THE CLASS (B-1D) COMBINATION LICENSE AND USE THE LICENSE STRUCTURE OF ONE SPECIE-ONE LICENSE FOR BOTH DEER AND ELK TO BE SOLD AT LARGE, STATE WIDE, THERE WOULD BE NO NEED OF RESERVING THE ~~CLASS (A-1)~~ LICENSE AS A MANAGE-
MENT TOOL. GIVING EASTERN MONTANA OUR FAIR SHARE OF THE HUNTING BUSINESS.

RESPECTFULLY SUBMITTED

GLEN C. CHILDERS

Sagebrush Rebellion

Glen C. Childers
Brusett, MT 59318
Phone (406) 557-6182



New Sec. Sec 19- Drawing fee

If implemented will result in the cost
of the resident paying \$18.00 to hunt a turkey
\$18.00 to hunt an antelope. They will
not pay that exorbitant fee & will resort
to poaching. cost the dept.
The \$25.00 trapper license is excessive.
to our young people, mainly.

We'd be in favor of the
deer tag being sepearte from
the elk license because
it is hurting our business.

Latsy Krum
Hell Creek Dan
Jordan,
Mont.

1-21-81

To whom it may concern.

He would like to see the hunting license for non-resident hunters changed from a package license to an individual license for deer. When out of state hunters come to Eastern Mont to hunt they expect to hunt deer, elk & bear — As you may know — we've no bear or elk in this area. Therefore, hunters



are leaving this area
to hunt in the western
part of Montana & we
are losing at least 50%
of their business

Sanchez, Dan
Victor, owner
Jordan, MT 59337

Jan 22, 1980

To whom it may concern:

In regard to the combination
non resident hunting license I would
like to see it split up so the nonresidents
could hunt one species without buying
a license for them all.

Rancher

Calvin C. Thomas

Box 4

Land Springs, Mont

59077

Ryan Grocery
Box 349
Jordan, Montana 59337
27 Jan. 1981

Legislative Committee on Game License
Hellena, Montana 59601

Legislative Committee

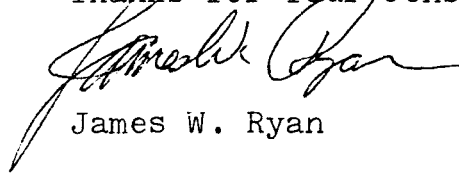
Sub. out of state hunters.

I recommend out of state hunters be allowed to buy any species of big game or fish & bird license.

Due to the high price of A package license & other inflation, many hunters are deprived of the privilege of hunting in Montana.

This also hurts the economy of Montana, Our processing business is off apx. 50%.

Thanks for Your Consideration;

A handwritten signature in dark ink, appearing to read "James W. Ryan", written over the typed name.

James W. Ryan

DUTTON ENTERPRISES

SAND SPRINGS STORE
SAND SPRINGS, MONT. 59077

January 28, 1981

To whom it may concern:

In the interest of fairness to the sportsmen and economic advantage to the state of Montana, I would suggest that your big game license be restructured as follows:

Issue seperate elk and deer tags and bear tags to allow some of the less affluent catagories of the population access to hunting privileges. Hunting should be the privilege of all citizens, not just the aristocrats of the country.

A large percentage of the sportsmen are unable to coordinate time and facilities to accomodate the licenses they are required to buy.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joe Dutton". The signature is fluid and cursive, with a large loop at the beginning and a trailing flourish at the end.

Joe Dutton
Sand Springs, Mont.

January 26, 1981
P.O. Box 241
Jordan, Montana 59337

Committee
~~Commission~~

Chairman of House, of Fish and Game
Helena, Montana

TO WHOM IT MAY CONCERN,,,

AS REGISTERED VOTERS, ~~THE~~ RESIDENTS AND ALSO BAR AND SUPPER CLUB OWNERS, WE FEEL THAT THE SALE OF THE B-2 COMBINATION LICENSING HAS COST US 80% OF OUR HUNTING BUSINESS, IN THE FALL OF THE YEAR. THIS B-2 COMBINATION LICENSE COMPELS A NON-RESIDENT HUNTER TO PAY 225.00 TO HUNT DEER IN EASTERN MONTANA.

WE WOULD SUPPORT THE A-3 NON RESIDENT LICENSE, AS SINCE IMPLEMENTING THE B-2 HAS COST US APPROXIMATELY 80% OF OUR FALL HUNTING BUSINESS.

THANKYOU.

SINCERELY

Louis W. Allen

Louis and Raelle Allen
P.O. Box 241
Jordan, Montana, 59337

County of Garfield

1-22-81

To Whom It May Concern:

I am writing in regards to the present method of hunting licenses. This method has almost destroyed all business that we had in our motel and trailer court during hunting season. It has dropped from our busiest time of year to one of our slowest. Our out-of-state hunters have dwindled until only one group of our regular hunters came this year. It has really hurt us financially.

I would like to see this changed to a smorgasbord type licensing. I think it would be more fair for all concerned and people would not be forced to pay for licenses they do not want.

Thank You,

Marion Deeler
Jordan Motel & Trailer Co.
Jordan, Mt.

DEPARTMENT OF FISH, WILDLIFE AND PARKS

	1983 FTE	1983 Biennium General Fund	Total Funds
Executive Budget	459.84	\$1,251,583	\$37,421,652
LFA Recommendation	<u>434.88</u>	<u>1,362,076</u>	<u>35,239,087</u>
Executive over (under) LFA	24.96 =====	(\$110,493) =====	\$ 2,182,565 =====

The legislative recommendation provides a current level appropriation for those programs that have a direct impact on services. Other programs that are ancillary to the resource or support in nature are recommended to be reduced in size and scope. Most areas of proposed reductions have been identified by the department.

The executive budget is essentially the department request. The legislative recommendation proposes reducing 60.23 FTE, while the executive proposes a reduction of 35.27. The overall budget differences revolve around personal services and operating expenses related to these positions.

Contracted services in the LFA recommendation for the central services division are \$405,107 less than the executive over the biennium. Data processing and computer programming contracts for the preference license system and retained attorney expenses are not contained in the LFA recommendation.

The legislative proposal can be funded with the current hunting and fishing license price structure. However, no funds are available for wildlife habitat acquisition. The executive budget would entail increases in hunting and fishing licenses.

* The LFA recommendation includes \$2,363,091 for pay raises.

DEPARTMENT OF FISH, WILDLIFE AND PARKS

	Actual Fiscal 1980	Appropriated Fiscal 1981	LFA Recommended Fiscal 1982	Fiscal 1983	% Change Biennium 1981-83
T	495.11	495.11	434.88	434.88	(12.2)

Source

General Fund Approp.	\$ 515,485	\$ 541,811	\$ 654,109	\$ 707,967	28.8
Other Funds Approp.	<u>14,734,115</u>	<u>15,919,561</u>	<u>16,396,752</u>	<u>17,480,259</u>	<u>10.5</u>
Total Funds	<u>\$15,249,600</u>	<u>\$16,461,372</u>	<u>\$17,050,861</u>	<u>\$18,188,226</u>	<u>11.1</u>

Expenditures by Object

Personal Services	\$ 8,603,783	\$ 9,521,206	\$ 9,429,923	\$10,264,570	8.6
Operating Expenses	4,902,189	4,034,397	5,078,714	5,381,567	17.0
Capital	<u>208,063</u>	<u>48,444</u>	<u>179,593</u>	<u>184,672</u>	<u>42.0</u>
Total Operating Costs	\$13,714,035	\$13,604,047	\$14,688,230	\$15,830,809	11.7
Non-Operating Exp.	<u>1,535,565</u>	<u>2,857,325</u>	<u>2,362,631</u>	<u>2,357,417</u>	<u>7.4</u>
Total Expenditures	<u>\$15,249,600</u>	<u>\$16,461,372</u>	<u>\$17,050,861</u>	<u>\$18,188,226</u>	<u>11.1</u>

The recommended appropriation will provide the department of fish and game with sufficient funds to continue the critical divisions, fisheries, wildlife, and parks, at the current level with only minor adjustments in personnel. Other less critical divisions would be reduced, for the most part, based upon department recommendations. None of the reductions will have any effect on the wildlife, fish, or parks resource but will affect promotion and internal support and administration.

The recommended operating budget can be provided without a hunting and fishing license increase. The recommended appropriation would use nearly all of the earmarked revenue capacity and none would be available for additional wildlife habitat acquisition. If the legislature desires to continue

the game range acquisition program, it must provide the means for purchase.

The department is proposing a license fee increase package to support current operations, land acquisition, and to provide an adequate fund balance to carry it through low income periods.

Our recommendation can be funded by existing revenues for the 1982-83 biennium. Fund balances are higher than reported because the department transferred a significant amount to initiate vehicle and supply revolving accounts. The exact amount, which was not appropriated, is indeterminate at this writing.

The parks, enforcement, and central services divisions are supported by a myriad of incidental earmarked revenue funds which encumber both the management and accounting in those divisions. De-earmarking those funds and replacing them with general fund appropriations would streamline the department to a significant degree and assist in holding down administrative and support costs. Further explanation is contained in the park and recreation division's analysis.

LAW ENFORCEMENT

	Actual Fiscal <u>1980</u>	Appropriated Fiscal <u>1981</u>	LFA Recommended Fiscal <u>1982</u>	Fiscal <u>1983</u>	% Change Biennium <u>1981-83</u>
E	92.99	92.99	84.00	84.00	(9.2)
<u>Source</u>					
he Funds Approp.	<u>\$2,510,380</u>	<u>\$2,688,719</u>	<u>\$2,948,553</u>	<u>\$3,164,872</u>	17.5
Total Funds	<u>\$2,510,380</u> =====	<u>\$2,688,719</u> =====	<u>\$2,948,553</u> =====	<u>\$3,164,872</u> =====	17.5 =====
<u>Expenditures by Object</u>					
Personal Services	\$1,869,241	\$2,058,530	\$2,159,610	\$2,340,475	14.5
Operating Expenses	530,396	499,897	777,746	813,200	40.8
Capital	<u>10,743</u>	<u>3,454</u>	<u>11,197</u>	<u>11,197</u>	57.7
Total Operating Costs	<u>\$2,510,380</u>	<u>\$2,561,881</u>	<u>\$2,948,553</u>	<u>\$3,164,872</u>	20.5
Non-Operating Exp.	<u>-0-</u>	<u>126,838</u>	<u>-0-</u>	<u>-0-</u>	(100.0)
Total Expenditures	<u>\$2,510,380</u> =====	<u>\$2,688,719</u> =====	<u>\$2,948,553</u> =====	<u>\$3,164,872</u> =====	17.5 =====

The recommended budget will continue the current staff for enforcement including the two pilots which are accounted for in this division. The recommended reduction in FTEs includes positions that the department has voluntarily kept vacant so that operating expenses could be raised. Two FTE warden trainees and .49 FTE used for herders in game damage situations are not recommended.

Operating expenses for fiscal 1982 and 1983 are projected from 1980 actual level using standard inflation factors applicable to all state departments. In addition, \$62,000 is added each year above the current level to fuel warden vehicles. The additional funds will allow wardens to travel an average of 24,000 miles per year. Currently, budget restrictions have limited

travel to 12,000 to 13,000 miles annually. If wardens are to be effective, they must be in the field.

Another \$65,000 is included in the budget each year for game damage expenses. We recommend a line item appropriation of this amount. No personal services of currently authorized employees should be charged to this fund as has occurred in the past. All wardens' personal service costs are fully funded in the base budget. Two pilots are included in this division. Both individuals are wardens and should be assigned warden responsibilities when not flying.

Regular personal services expenditures are increased \$150,000 annually to account for fine income that is transferred to the warden retirement fund over and above the employee's and employer's normal contribution. The enforcement division is the department's largest user of license income, using \$5,420,870 over the biennium, 89 percent of the division's total expenditures.

NONRESIDENT LICENSE INCOME

YEAR	TOTAL	TOTAL SALES	PERCENT
1979	\$ 4,984,043	\$ 8,467,278	58
1978	4,951,255	7,984,663	62
1977	4,275,558	7,253,154	58
1976	4,056,589	6,814,568	59
1975	<u>4,900,327</u>	<u>6,825,837</u>	<u>71</u>
TOTALS	\$23,167,772	\$37,345,500	308
AVERAGE	\$ 4,633,554	\$ 7,469,100	61

OUTFITTERS

1979	424
1978	430
1977	400
1976	408
1975	<u>415</u>
TOTAL	2,077
AVERAGE	415

GUIDES

1979	700
1978	723
1977	614
1976	532
1975	<u>551</u>
TOTAL	3,120
AVERAGE	624

MONTANA

DEPARTMENT OF FISH, WILDLIFE, AND PARKS

SUMMARY OF BUDGETS

FOR

FY82 AND FY83

NOVEMBER 28, 1980

INTRODUCTION

The importance of fish, wildlife and parks resources to Montana citizens and visitors is strongly indicated by:

PARTICIPATION RATES

A recent survey by the University of Montana Bureau of Business and Economic Research shows that:

35% of Montanans hunted in 1979

58% of Montanans fished in 1979

75% of Montanans participated in outdoor recreation activities

2.5 million people visited our state parks in 1978.

ECONOMICS

In 1978 it is estimated that 130 million dollars was generated in Montana's economy by resident and nonresident hunters and fishermen--

Out of state travelers spent \$233 million in Montana in 1978, and 42% of their time was spent on wildlife activities other than hunting and fishing. Resident vacationers spent \$141 million in the state that year, with 46% of their time devoted to wildlife related activities.

Demand for fishing, hunting, parks use and associated recreation is expected to remain high during the 1980's and continue to be an integral part of the quality of life for Montana residents. Our wildlife resources are a major attraction to the state's visitors, even if they do not hunt or fish.

Comparing the cost of the Department of Fish, Wildlife and Parks programs with the total amount spent on wildlife recreation in Montana - - it is obvious that for every dollar invested, the state's economy benefits many times.

Many changes obviously lie ahead for Montana. This state has a history of having its natural resources extracted for use and profit elsewhere. It now stands at the threshold of intensive development - - eyed by a nation needing independent energy sources and increased supplies of food, fiber and living space.

Thus it is axiomatic that the role and responsibilities of the Montana Department of Fish, Wildlife and Parks have a major place among agencies of state government. The mission of the Montana Department of Fish, Wildlife and Parks is to: *protect, perpetuate and wisely manage the use of fish, wildlife, state parks and associated recreational resources in a manner that will benefit current and future generations of Montanans.* This agency serves as an essential watchdog to protect these natural and cultural resources and to allocate and manage their use for public benefit. Being guardian and manager of these cherished resources in a period of intensifying land use and increasing population growth - presents an awesome challenge during the 1980's

Major resource management challenges include:

- Declining habitat for fish and wildlife
- More people with more recreation demands
- More conflicts between recreation users
- Limitations on access to private and public lands
- *Meeting the inflating costs of resource management with traditional funding sources*

(A brief discussion of fiscal problems and impact on budget follows)

Fiscal Management Problems:

A combination of inflation and a tapering off of basic income from license sales has reduced the effective 1981 buying power (calculation from CPI) of this agencies' income to a level below that of 1971. The obvious three fiscal management options include *cutting expenditures, increasing income, or a combination of both.*

The basic budgets prepared for FY 82 and FY 83 include use of the three options.

Basic Budgets (without license increase). This level of expenditures is extremely austere, including significant reductions in manpower and existing program levels.

The 1985 resource program goals, including expected public benefits from fishing, hunting and associated recreation could not be met.

Consequences of implementing this lowest level budget include:

- decreasing public hunting and fishing and other outdoor recreation opportunities
- decreased assistance, information and services to sportsmen and landowners
- reduced department assistance in access problems
- less capability to protect fish, wildlife and cultural resources against intensifying land and water uses and illegal human uses
- reduced care of state-owned wildlife lands, fishing access sites and parks
- closing of three to seven park sites
- no capability to acquire additional wildlife lands to offset continued habitat losses in the future.
- curtailment of nongame management program supported by license dollars since 1973
- reduction in summer youth camp programs
- reduced fiscal control and reduced security for public property and facilities
- reduced capability to protect fish and wildlife from willful or negligent destruction. Ability to achieve an acceptable level of compliance to laws and regulations is reduced.

BASE BUDGETS - DEPARTMENT OF FISH, WILDLIFE AND PARKS - FY82 & FY83

<u>DIVISIONS</u>	<u>FY81 (NOW)</u>	<u>BASE BUDGET (FY82)</u>	<u>BASE BUDGET (FY83)</u>
Wildlife	\$ 2,686,904	\$ 2,737,614	\$ 2,780,027
Fisheries	2,152,570	2,260,275	2,198,634
Parks	1,936,589	1,960,212	1,970,591
Enforcement	2,554,283	2,661,338	2,803,723
Ecological Services	950,141	988,805	1,019,625
Conservation Ed.	864,289	846,126	832,197
Centralized Serv.	2,103,593	1,715,733	1,742,390
Admin./Special Staff	490,918	405,719	435,593
Other		245,961	307,372
	\$13,739,287	\$13,821,783	\$14,090,152

CAPITAL BUDGET - DEPARTMENT OF FISH, WILDLIFE & PARKS

1980-1981 Biennium (Budgeted)

\$1,025,000*

1982-1983 Biennium (Requested)

\$185,349*

*02131 only

CONSEQUENCES OF IMPLEMENTING BASE BUDGETS

DIVISIONS

FY 82

FY 83

WILDLIFE

Reduced hunting opportunity, reduced assistance and service to sportsmen and landowners, less protection of wildlife habitat, reduced care of state wildlife lands, no capability to acquire or lease additional lands for wildlife.

Reduced hunting opportunity, reduced assistance and service to sportsmen and landowners, less protection of wildlife habitat, reduced care of state wildlife lands, no capability to acquire or lease additional lands for wildlife. Terminate nongame program.

FISHERIES

Loss of an estimated 100,000 fisherman days, slightly less fish hatchery production.

Loss of an estimated 335,000 fisherman days and greatly reduced management efforts on lakes, ponds, reservoirs and streams.

PARKS

Stop cleanup at 75 fishing access sites, reduce care at four park sites, close three parks, transfer three parks to Feds., reduce sign service.

No cleanup at 75 fishing access sites, less repair at 150 sites, cut improvement at 80% of FAS, close four parks, reduce care at four parks, reduce sign service.

ENFORCEMENT

Reduced protection of fish and wildlife resources, reduced assistance and service to landowners and sportsmen. Reduced hunting opportunities.

Further reduced protection of fish and wildlife resources, reduced assistance and service to landowners and sportsmen. Reduced hunting opportunities.

ECOLOGICAL SERVICES

Less fish and wildlife resource protection in face of intensified land and water uses.

More decrease in fish and wildlife resource protection in face of intensifying land and water uses.

CONSERVATION ED.

Reduced information services to sportsmen, public and landowners; major decrease in summer youth camp; less films, no orphan animal services.

Further reduction in information services, youth and camp films.

CENTRAL SERVICES

Reduced public service at regional headquarters; less accurate drawings; possible reduced fiscal and property control.

Reduced public service at regional headquarters; less accurate drawings probable, reduced fiscal & property

MODIFIED BUDGETS (with license increases). This level of expenditure includes both: 1) streamlining in all seven divisions including personnel and operations: and 2) implementation of additional license funding with prioritized program needs. This budget level is recommended to offset inflation and enable this agency to meet its stated resource and public recreation goals by 1985.

COMPARISON OF MODIFIED BUDGETS

FY82

Divisions	BASE BUDGET (FY 82)	MODIFIED BUDGET (FY 82)
Wildlife	\$ 2,737,614	\$ 2,919,816
Fisheries	2,260,275	2,433,048
Parks	1,960,212	2,077,551
Enforcement	2,661,338	2,926,283
Ecological Services	988,805	1,017,578
Conservation Education	846,126	918,210
Central Services	1,715,733	1,854,189
Admin/Spec. Staff	405,719	456,689
Other	<u>245,961</u>	<u>245,961</u>
TOTALS	\$13,821,783	\$14,849,325

FY83

DIVISIONS	BASE BUDGET (FY 83)	MODIFIED BUDGET(FY 83)
Wildlife	\$ 2,780,027	\$ 3,081,675
Fisheries	2,198,634	2,492,711
Parks	1,970,591	2,282,090
Enforcement	2,803,723	3,068,668
Ecological Services	1,019,625	1,172,987
Conservation Education	832,197	988,115
Central Services	1,742,390	1,906,682
Admin./Spec. Staff	435,593	520,967
Other	<u>307,372</u>	<u>307,372</u>
TOTALS	\$14,090,152	\$15,821,267

WHERE COULD THE MONEY COME FROM TO PAY FOR FY82 & FY 83 MODIFIED BUDGETS?

May 1, 1981

<u>Actions</u>	<u>Results</u>
Increase non-resident and resident conservation licenses from \$1 to \$3.	
Implement resident and nonresident big game drawing application processing fee of \$5	

*Cost 7,000 = Loss 1,575,000
on license fees
Loss to State 14,000,000*

\$1,090,000

May 1, 1983

May 1, 1982

<u>Actions</u>	<u>Results</u>
Increase both nonresident and resident fishing and hunting license fees	

\$3,200,00

<u>Actions</u>	<u>Results</u>
Further small increase in both nonresident and resident fishing and hunting license fees	

\$1,000,000

November 26, 1980

1983 Biennium

	<u>FY81 Authorized</u>	<u>FY81 Actual</u>	<u>FY82 Base</u>	<u>FY82 Modified</u>	<u>FY83 Base</u>	<u>FY83 Modified</u>
Centralized Services	69.16	64.15	54.15	62.65	53.15	62.65
Ecological Services	38.85	27.93	29.50	29.75	28.82	31.95
Fisheries	82.35	76.57	76.24	82.15	68.10	82.15
Wildlife	87.41	81.97	77.33	81.54	71.73	79.31
Enforcement	92.99	85.50	80.00	90.49	76.00	90.49
Parks	80.29	80.29	74.94	79.36	70.90	80.56
Conservation Education	29.12	25.74	23.39	24.89	20.25	25.23
Administration	<u>14.94</u>	<u>14.94</u>	<u>10.50</u>	<u>12.50</u>	<u>8.00</u>	<u>11.50</u>
Total	495.11	457.09	426.05	463.33	396.95	463.84

Differences/Base
Year 1981 Authority

FY 81 Actual	38.02					
FY 82 Base			69.06			
FY 82 Modified				31.78		
FY 83 Base					98.16	
FY 83 Modified						31.27

MONTANA DEPARTMENT OF FISH, WILDLIFE & PARKS
HUNTING AND FISHING LICENSE FEE RECOMMENDATIONS
FY 83/85 BIENNIUM

<u>LICENSE:</u>	<u>PRESENT FEE</u>	<u>RECOMMENDED FEES</u> <u>MAY 1, 1981</u>	<u>RECOMMENDED FEES</u> <u>MAY 1, 1982</u>	<u>RECOMMENDED FEES</u> <u>MAY 1, 1983</u>
License Dealer Fee	.15*	.15*	.30**	.30*
Resident Wildlife Conservation License	1.00	3.00*	3.00	3.00
Resident Fishing	5.00	5.00	7.50*	10.00*
Nonresident Wildlife Conservation License	1.00	3.00*	3.00	3.00
Nonresident 6-Day Fishing	10.00	10.00	Eliminate	Eliminate
Nonresident Season Fishing	20.00	20.00	40.00*	40.00
Nonresident 2 Day Fishing (a)	2.00	2.00	4.00*	4.00
Paddlefish (b)	-0-	-0-	5.00*	5.00
Resident Bird	4.00	4.00	5.00*	6.00*
Nonresident Bird	30.00	30.00	40.00*	40.00
Turkey (c)	2.00	2.00	5.00*	5.00
Duplicate	3.00	3.00	Max. of 25.00* (d)	Max. of 25.00 (d)
Resident Deer	7.00	7.00	8.00*	10.00*
Resident Elk	8.00	8.00	10.00*	12.00*
Youth Bird	2.00	2.00	3.00*	3.00
Youth Elk	2.00	2.00	3.00*	3.00
Youth Deer	2.00	2.00	3.00*	3.00
Sportsman's License	35.00	35.00	40.00*	40.00
Nonresident Big Game License	225.00	225.00	300.00*	325.00*
Nongame Certificate	5.00	Eliminate	Eliminate	Eliminate
Resident Antelope	5.00	5.00	10.00*	10.00
Resident Moose	25.00	25.00	50.00*	50.00
Resident Sheep	25.00	25.00	50.00*	50.00
Resident Goat	15.00	15.00	25.00*	25.00
Nonresident Moose	150.00	150.00	250.00*	250.00
Nonresident Sheep	150.00	150.00	250.00*	250.00
Nonresident Goat	150.00	150.00	250.00*	250.00
Resident Bear	6.00	6.00	10.00*	10.00
Resident Grizzly	25.00	25.00	50.00*	50.00
Nonresident Grizzly	150.00	150.00	250.00*	250.00
Resident Mountain Lion	5.00	5.00	25.00*	25.00
Nonresident Mountain Lion	100.00	100.00	250.00*	250.00
Trappers	10.00	10.00	25.00*	25.00
Falconers License	3.00	3.00	25.00*	25.00
Special Deer Fee	1.00	Eliminate	Eliminate	Eliminate
Special Elk Fee	1.00	Eliminate	Eliminate	Eliminate
Drawing Fee (b)	-0-	5.00*	5.00	5.00

Notes:

- * Price of license has changed from previous year.
- (a). Currently there is a Nonresident 1 Day Fishing license. The Department would recommend changing this to two days.
- (b). New license or fee.
- (c). Resident and nonresident license.
- (d). The Department recommends that duplicate licenses be purchased for the original price of the license up to a maximum of \$25.00.

LICENSE FEES - COMPARATIVE ANALYSIS
12 WESTERN STATES
AUGUST 1980

License	Montana (Now)	Montana (Proposed)	Wyo.	Colo.	Ut.	Nev.	Ariz.	Wash.	Oreg.	Alaska ⁽¹⁴⁾	N.M. ⁽¹⁵⁾
Resident Fishing	\$5.00	\$10.00	\$7.50	\$7.50	\$10.00	\$10.00	\$6.00	\$8.50	\$9.00	\$10.00	\$11.50
N/R 2-day fishing	2.00	4.00	-----	5.00	5.00 ⁽⁶⁾	7.50 ⁽⁹⁾	4.50 ⁽⁶⁾	-----	2.50 ⁽⁶⁾	5.00 ⁽⁶⁾	5.25 ⁽⁶⁾
N/R 6-day fishing	10.00	eliminate	10.00 ⁽¹⁾	15.00 ⁽³⁾	15.00 ⁽¹⁾	10.00 ⁽³⁾	8.50 ⁽¹⁾	7.25 ⁽¹²⁾	10.00 ⁽³⁾	15.00 ⁽³⁾	11.00 ⁽¹⁾
N/R Season fishing	20.00	40.00	30.00	25.00	35.00	20.00	18.50	24.00	25.00	30.00	20.50
Resident Bird	4.00	6.00	6.00	5.00 ⁽⁴⁾	8.00 ⁽⁴⁾	10.00 ⁽⁴⁾	9.00 ⁽⁴⁾	3.00	7.00 ⁽⁴⁾	-----	8.50 ⁽⁴⁾
Nonresident Bird	30.00	40.00	30.00	25.00 ⁽⁴⁾	30.00 ⁽⁴⁾	50.00 ⁽⁴⁾	16.00 ⁽⁴⁾	3.00	75.00 ⁽⁴⁾	-----	36.00 ⁽⁴⁾
Resident Deer	7.00	10.00	15.00	13.00	10.00	9.00	5.00	5.00	4.00	-----	-----
Resident Elk	8.00	12.00	25.00 ⁽²⁾	16.00	30.00	25.00	30.00	11.00	20.00	-----	21.00
N/R Big Game	225.00	300.00	460.00	325.00 ⁽⁵⁾	435.00 ⁽⁷⁾	-----	288.00 ⁽¹⁰⁾	-----	330.00 ⁽¹³⁾	-----	-----
Resident antelope	5.00	10.00	15.00	13.00	25.00	25.00	30.00	-----	5.00	-----	16.00
N/R antelope	100.00	100.00	100.00	100.00	100.00	-----	150.00	-----	125.00	-----	101.00
Resident Moose	25.00	50.00	50.00	-----	100.00	-----	-----	-----	-----	12.00	-----
N/R Moose	150.00	250.00	300.00	-----	1,000.00	-----	-----	-----	-----	200.00	-----
Resident Sheep	25.00	50.00	50.00	75.00	100.00	50.00	75.00	11.00	25.00	-----	26.00
N/R Sheep	150.00	250.00	400.00	-----	1,000.00	250.00	375.00	42.00	-----	250.00	301.00
Resident Mtn. Goat	15.00	50.00	50.00	75.00	-----	-----	-----	11.00	-----	-----	-----
N/R Mtn. Goat	150.00	250.00	500.00	-----	-----	-----	-----	42.00	-----	125.00	-----
Resident Bear	6.00	10.00	10.00	10.00	15.00	-----	4.00	3.00	5.00	-----	-----
N/R Bear	100.00	100.00	50.00	50.00	150.00	-----	20.00	3.00	75.00	100.00	50.00
Resident Mtn. Lion	5.00	25.00	20.00	20.00	15.00	10.00	1.50	-----	20.00	-----	-----
N/R Mtn. Lion	100.00	250.00	100.00	150.00	150.00	100.00	20.50	-----	150.00	-----	-----
Trappers License	10.00	25.00	20.00	5.00	10.00	10.00	30.00	20.00	10.00	3.00	5.25
Falconers License	3.00	25.00	5.00	20.00	10.00	15.00	5.00	-----	-----	-----	-----
Drawing Fee	2.00	5.00	5.00	-----	10.00 ⁽⁸⁾	\$2 p/specie	9.00 ⁽¹¹⁾	-----	1.00	5.00	-----
License Dealer Fee	.15	.30	.50	.05 - .50	.50	.25	.50	.50	.25	.25 (or 10%)	.50 to 1.00 (sliding scale)

	<u>N.D.</u>	<u>Idaho</u>	<u>Calif. (17)</u>
Resident fishing	\$5.00	\$6.50	\$10.00
N/R 2-day fishing	-----	3.50 (6)	7.00 (6)
N/R 6-day fishing	2.00 (12)	7.50 (12)	13.25 (3)
N/R Season fishing	10.00	20.50	25.75
Resident Bird	5.00 (4)	5.50	5.50
N/R Bird	40.00 (4)	5.50	5.50
Resident Deer	11.00	4.50	4.50
Resident Elk	-----	8.50	8.50
N/R Big Game	-----	175.00 (16)	-----
Resident Antelope	10.00	16.00	16.00
N/R antelope	-----	31.00	31.00
Resident Moose	10.00	56.00	56.00
N/R Moose	-----	-----	-----
Resident Sheep	10.00	56.00	56.00
N/R Sheep	-----	160.50	160.50
Resident Mtn. Goat	-----	26.00	26.00
N/R Mtn. Goat	-----	46.00	46.00
Resident Bear	-----	4.50	4.50
N/R Bear	-----	15.50	15.50
Resident Mtn. Lion	-----	5.50	5.50
N/R Mtn. Lion	-----	35.50	35.50
Trappers License	5.00	5.50	5.50
Falconers License	15.00	-----	-----
Drawing Fee	-----	5.50	5.50 (for antelope
		(for antelope	10.50 for moose, sheep,
		10.50 for	and goat)
		moose, sheep,	
		and goat)	
License Dealer Fee	.25	.50	.50

	<u>Average For 12 Western States</u>
Resident Fishing	\$8.46
Nonresident 2-day Fishing	5.03
Nonresident 6-day Fishing	10.38
Nonresident Season Fishing	23.69
Resident Bird	6.59
Nonresident Bird	20.72
Resident Deer	8.10
Resident Elk	19.50
Nonresident Big Game	335.50
Resident Antelope	17.10
Nonresident Antelope	92.25
Resident Moose	47.33
Nonresident Moose	500.00
Resident Sheep	48.54
Nonresident Sheep	326.55
Resident Mountain Goat	37.60
Nonresident Mountain Goat	151.80
Resident Bear	7.00
Nonresident Bear	52.90
Resident Mountain Lion	12.18
Nonresident Mountain Lion	92.69
Trappers Licenses	10.77
Falconers Licenses	7.93
Drawing Fee	-----
License Dealer Fee	-----

NOTES:

1. Nonresident 5-day fishing license in this state.
2. In Wyoming, nonresident elk license is \$250; nonresident deer is \$100; nonresident bear is \$50; nonresident bird is \$30; nonresident season fishing is \$30. Total = \$460.
3. Nonresident 10-day fishing license in this state.
4. In this state, resident and nonresident bird licenses are included in a small game or general hunting license.
5. In Colorado, nonresident elk license is \$135; nonresident deer is \$90; nonresident bear is \$50; nonresident bird (small game) is \$25; nonresident season fishing is \$25. Total = \$325.
6. Nonresident 1-day fishing license in this state.
7. In Utah, nonresident elk license is \$100; nonresident deer license is \$120; nonresident bear is \$150; nonresident bird (small game) is \$30; nonresident season fishing is \$35. Total = \$435.
8. In Utah, all hunters must have a deer license before applying for any drawings. Cost of the deer license is \$10. Therefore, Utah has a \$10 drawing fee.
9. Nonresident 3-day fishing license in this state.
10. In Arizona, nonresident elk is \$200; nonresident deer is \$5; nonresident bear is \$20; nonresident bird (general hunting) is \$45; and nonresident season fishing is \$18. Total = \$288.
11. In Arizona, hunters must buy a general hunting license before applying for any drawings. Cost of this license is \$9. Therefore, Arizona has a \$9 drawing fee.
12. Nonresident 7-day fishing license in this state.
13. In Oregon, nonresident elk is \$105; nonresident deer is \$50; nonresident bear is \$75; nonresident bird (general hunting) is \$75; and nonresident season fishing is \$25. Total = \$330.
14. In Alaska, residents may hunt moose for \$12. They may hunt all additional species except grizzly for no additional fee (grizzly = \$25). Some moose, plus sheep and goat licenses are drawn. \$5 drawing fee per species required. Nonresidents must pay \$60 for a nonresident hunting license plus \$5 per species for the drawing fee plus the price of a tag, if they draw. Nonresident fee for grizzly is \$250.
15. All New Mexico fishing licenses have trout stamps added to both resident and nonresident licenses.
16. In Idaho, nonresident elk license is \$100; nonresident deer license is \$35; nonresident bear license is \$15; nonresident bird license is \$5 and nonresident season fishing license is \$20. Total = \$175.
17. All California fishing licenses have trout stamps and inland water stamps added to both resident and nonresident licenses.

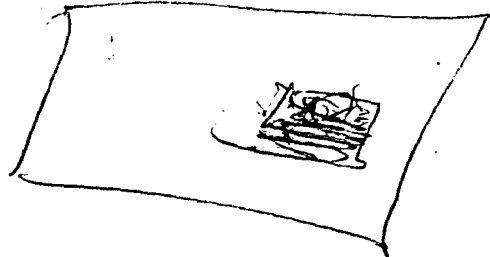
STATE OF MONTANA



DEPARTMENT OF

FISH AND GAME

TO: Fish and Game Commission
FROM: License Bureau
RE: Plastic Card System Status Report
DATE: February 19, 1980



Introduction We have been closely monitoring the status of our budgets in the License Bureau. We are at a point where some hard decisions need to be made.

In this memo, the terms "Phase I" and "Phase II" are used frequently. A definition of these two terms follows:

Phase I: All of the computer programming and documentation required to implement the plastic card licensing system. This work was performed by Montana Systems Development.

Phase II: All of the computer programming and documentation required to perform the drawings each year according to state law as well as Commission and Department policies. This work is now in process by Montana Systems Development.

Discussion of the Plastic Card System and Phase II The plastic card system has cost this Department over \$600,000 from its inception until October 31, 1979. (Chart 1) This includes development costs, implementation costs, and operational costs. The projected costs of Phase II are only 11% of that already invested in Phase I. (Chart 2)

An additional consideration is that substantial modifications would be required on the old drawing system to accomodate new requirements of the Department for 1980--if Phase II is not completed. The Wildlife Division, State law and the Commission require the following changes in the drawings in 1980:

1. A Deer B drawing with 3 district choices
2. A nonresident regional deer drawing capability
3. A method of issuing \$1 nonresident conservation licenses quickly and efficiently
4. The 75%/25% split on moose, sheep, and goat licenses
5. The capability for a 4th "regional" choice on antelope

\$33,000 is accrued from a previous fiscal year for development purposes. We are at this time committed to the completion of the development of Phase II. Montana Systems Development would find it extremely difficult (if not impossible) to modify the old drawing system to meet these new requirements before the 1980 drawings. Even if this work could be completed before the 1980 drawings, the result would be another set of patches on an old system that is so patched now that it is very difficult to maintain. (See Department of Fish and Game Legislative Audit Report for Fiscal Year Ended June 30, 1977, pp. 41 to 83).

Plastic Card System - Some Alternatives If we continue the system as it is, the cost of the Contracted Services for the plastic card system for this fiscal year is estimated at \$490,000. (Chart 3) Without any modifications to the plastic card system, this cost will be about \$482,000 in FY 81 due to an anticipated plastic card reissue. This cost will drop to \$423,700 in FY 82. These costs are excessive and some method must be found to reduce costs. We have consulted with other Divisions in the Department, Montana Systems Development, and Computer Services Division to develop some method to reduce our Contracted Services expenses. Providing programming support by Department employees will reduce our costs over the long haul and we are in the process of acquiring our own programmers. There is a projected deficit of about \$123,000 in the Licensing Bureau budget for FY 80.

FY 81 and FY 82 Costs There are several possibilities for reducing operation expenses. One possibility would be to permanently discontinue processing 90% of nonresident conservation licenses and all nonresident fishing licenses. Licensing would save about \$57,500 a year in operating expenses.

We have found a long term solution to the problem of operational cost. This solution does require about \$23,000 in reprogramming costs to be performed by Montana Systems Development. Also, due to the effort of Phase II, this can't be implemented until about July 1, 1980. At that time, the operational costs of the plastic card system will be reduced by a conservative estimate of \$50,000 per year and could approach \$75,000 per year. Basically, the plastic card system would have greatly reduced capabilities in dealer accountability for specific licenses but would still be capable of dealer accounting as the old system now provides. The capability to access sportsmen would remain the same. The cost of processing licenses and the cost of producing reports would be reduced by 75%. Data entry would also be simplified and less expensive.

An additional scheme that can modify expenses in the future pertains to the plastic card reissue. It is calculated that a reissue will cost about \$.52 per sportsman with a total cost of \$138,000. (Chart 4) This cost could be distributed over a 3 year period if we reissued in stages. There is no real cost savings but the cost would be spread over a 3 year period. There could be a cost savings if we acquired our own machine to emboss plastic cards and utilized it for reissue of cards which is feasible if done in three one-year stages.

Other Benefit Considerations

Hunter Harvest Survey Whether the Department does or does not have a plastic card licensing system, the Wildlife Division has a definite need for the names and addresses of resident and nonresident sportsmen who purchase hunting licenses. At the present time, there are 28 different types of resident and nonresident hunting licenses and, according to the latest PR report, about 208,000 resident and nonresident hunters. If there were no plastic card licensing system, Burwell Gooch estimates that it would cost \$64,250 beginning in FY 81 to provide names and addresses of hunting license holders to wildlife managers for survey purposes. This estimate is based on keypunching names and addresses of all resident and nonresident hunters and the licenses they buy. This procedure was followed prior to 1979. The plastic card system is currently providing this information.

Cost saving by having the plastic card licensing system in place is \$64,250 in FY 80.

Fishing Pressure Survey Although the fishing pressure survey was not run in 1979, the fisheries research unit has recently stated they still would like names and addresses of license buyers for fishing pressure survey purposes in future years. Bud Gaffney indicated that it would cost at least \$50,000 for the Fisheries Division to independently produce the names and addresses of anglers and the licenses they buy. This service can be provided by the plastic card licensing system.

Cost advantage of having the plastic card system in place is \$50,000 per year in future fiscal years if the information is needed or desired.

Enforcement Considerations The plastic card system has provided a coded physical description of the license holder on the plastic card and all licenses--which assists wardens in identifying hunters and anglers in the field. The plastic card system has provided listings of people who buy conservation licenses sorted by zip code for wardens to check residency. The plastic card system has provided listings of people who buy conservation licenses cross-checked with State of Montana drivers license records. This also provides leads to wardens on possible nonresidents who are buying resident licenses. Without the plastic card system, this work could not be done. In the future, these listings can be produced on a more routine basis than they were this past license year.

In the future, hunter safety files and violator files currently kept by the Enforcement Division could be tied to the plastic card system. This would allow better control of violators who have their hunting or fishing privileges removed; they would be detected if they tried to buy additional licenses.

License Dealer Commission Savings During the 1978 Legislative Session, a bill was introduced to increase the Department of Fish, Wildlife, and Parks' license dealer commission fee from 15¢ to 30¢. Since the Department sold 1,106,837 licenses in the license year ending April 30, 1979, the

financial impact of this doubling of the dealer commission fee would be \$166,025 for each license year. Passage of this bill would have cost the Department \$166,025 in FY 80 (the one we're in now) plus an additional \$166,025 (a conservative estimate; no growth in numbers of licenses sold each license year is assumed) in FY 81 and FY 82.

The primary reason the Department was successful in arguing against passage of this bill was that license dealers would save time in issuing licenses with the new plastic card system. Therefore, license agents would not need an increase in commission fees. This next license year (May 1, 1980 to April 30, 1981) will show considerable savings of time to license dealers since about 240,000 Montanans now have plastic cards. Very little handwriting of licenses will occur this coming license year.

This rationale (that the plastic card system makes it possible to issue licenses faster) can be used to counter requests by license dealers to increase commission fees. Although license agent commission fees may need adjustment, they should not be adjusted without some corresponding changes in the Department's overall license fee structure.

We feel that there was a cost savings by having the plastic card system in place in FY 80 of \$166,025 and that an efficient plastic card license system will continue to aid the Department in keeping dealer fees significantly lower than without such a system.

Future Considerations The plastic card system has considerable capability to provide statistical and demographic data regarding license buyers (hunters and anglers). This information could be extremely valuable for planning purposes. The plastic card system could also be used to accomplish subscription fulfillment services for Montana Outdoors. Many of the M.O. subscribers are also license buyers. Utilization of the plastic card system for this purpose would take careful planning with M.O. staff and Charter Inc., the present fulfillment services being used by M.O. Costs could possibly be reduced with this effort. In addition, the plastic card system could provide the service for sportsmen of ordering licenses by mail. This might be a convenience factor for many Montanans located in rural areas or for certain groups of license buyers (such as Sportsman License Holders.) Finally, the plastic card system can provide a tool to improve cash flow from dealers. Previous internal and external audits have cited the Department for allowing late remittance of license fees by dealers. The only tool the Department has that can compare "date of sale" of a license with "date of remittance" for large volumes of licenses is the plastic card system.

Summary In this report, we have presented historical costs and projected future expenses of the plastic card system. FY 80 projected budget deficit in Licensing is \$123,287. We have also presented known benefits of the plastic card system and attempted, in some cases to cost out those benefits. However, it is not possible, in every instance, to tie dollars to benefits.

We sincerely hope that the proposed alternatives for reducing the costs of the plastic card system are acceptable. Further cuts beyond

We are available to discuss this report at your earliest convenience. At the present time, we are proceeding with Phase II with Montana Systems Development and any modifications to the plastic card system will certainly impact Phase II. Any decisions to change direction with the plastic card system must be made soon to allow Licensing to plan its work schedule for 1980.

Thanks for the opportunity to provide input on this important topic.

Chart 1

Phase I Costs
As of October 31, 1979

<u>Vendor</u>	<u>Development Costs</u>	<u>Implementation Costs</u>	<u>Operational Costs</u>	<u>Total</u>
Montana Systems Development	\$83,645.72	\$6,945.00	\$40,695.00	\$131,285.72
Montana Information Systems		\$205,084.40		\$205,084.40
Kirk Plastics			\$ 3,933.86	\$ 3,933.86
National Business Systems			\$ 722.45	\$ 722.45
Blodgett			\$69,027.29	\$ 69,027.29
Computer Services	\$ 5,129.64	\$49,347.56	\$72,211.10	\$126,688.30
Helena Rehabilitation			\$ 3,147.94	\$ 3,147.94
Labor		\$8,153.94	\$ 3,811.21	\$ 11,965.15
Postage		\$49,500.00	\$ 6,000.00	\$ 55,500.00
Equipment	\$ 4,004.00			\$ 4,004.00
Travel		\$1,794.00		\$ 1,794.00
	<u>\$92,779.36</u>	<u>\$320,824.90</u>	<u>\$199,548.85</u>	<u>\$613,153.11</u>

Chart 2

Phase II Costs
(Through June 30, 1980)

<u>Vendor</u>	<u>Development Costs</u>	<u>Implementation Costs</u>	<u>Operational Costs</u>	<u>Total</u>
Montana Systems Development	\$33,023.54	\$7,000.00		\$40,023.54
Computer Services	\$ 3,000.00	\$10,000.00		\$13,000.00
Postage		\$11,000.00		\$11,000.00
Labor		\$3,000.00		\$ 3,000.00
				<u>\$67,023.54</u>

Note: The \$67,023.54 for Phase II is 10.9% of the \$613,153 investment in Phase I.

Chart 3

Contracted Services - 1832 - General Licensing

Projected

<u>Vendor</u>	<u>FY 80</u>	<u>FY 81*</u>	<u>FY 82</u>
Computer Services Division	\$145,000	\$86,250	\$103,125
Montana Systems Development	80,000	5,000	-0-
Data Entry	100,000	83,750	85,625
Plastic Cards	2,500	23,750	10,625
Helena Industries	4,000	6,250	3,375
Printing	106,000	100,000	100,000
Packing	11,000	11,000	11,000
Comtrex	750	1,000	1,200
	<u>449,250</u>	<u>317,000</u>	<u>314,950</u>

Chart 4

Plastic Card Reissue

	<u>Volume*</u>		<u>Per Unit Cost</u>		<u>Total Cost</u>
Plastic Cards	350,000	x	\$.05	=	\$17,500
Embossing	225,000	x	\$.07	=	15,750
Data Entry	225,000	x	\$.13	=	29,250
Labor					5,000
Postage (applications)	300,000	x	\$.084	=	25,200
Postage (cards)	225,000	x	\$.084	=	18,900
Supplies (envelopes, etc.)	300,000	x	\$.05	=	15,000
Computer	225,000	x	\$.05	=	11,250
			<u>\$.518</u>		<u>\$137,850**</u>

*Assuming that 300,000 applications are mailed and that 225,000 return the applications for a plastic card.

**Contracted Services would account for \$73,750 of the total

ADDENDUM

An additional question that may be asked is just how much is the plastic card system costing each year above and beyond normal processing. The chart below gives an estimate of the costs.

Additional Costs for Plastic Card System

Above Normal Operations

<u>Contracted Services</u> <u>Vendor</u>	<u>FY 80</u>	<u>FY 81</u>	<u>FY 82</u>
Computer Services Division	\$105,000	\$66,250	\$83,125
Montana Systems Development	80,000	5,000	-0-
Data Entry	20,000	(16,250)	(14,375)
Plastic Cards & Embossing	2,500	23,750	10,625
Helena Industries	4,000	6,250	3,375
Comtrex	750	1,000	1,200
 Total Contracted Services	 212,250	 86,000	 83,950
Personal Services	34,000	45,000	47,000
Communication	15,000	54,000	7,500
Supplies & Materials	2,000	15,000	1,000
 Grand Total:	 \$263,250	 \$200,000	 \$139,450

Montana sportsmen get more for less dollars

By AL BISHOP

"Dollar for dollar, and the time ordinarily available, the average sportsman will find that Montana has the most to offer of any place in the world," says Jack Atcheson, of Jack Atcheson & Sons, Inc., a highly respected hunting consultant, who, for 30 years, has guided thousands of clients worldwide. Montana doesn't enjoy this reputation by accident. Instead it is because of the continuing and joint efforts of our many good farmer and rancher friends, a group of Fish and Game professionals and a great bunch of sportsmen, all of whom understand and appreciate what we have and mean to hang onto it "come hell or high water."

Farmers and ranchers, professional game managers and knowledgeable sportsmen all know enough not to isolate and to consider just numbers of animals alone when evaluating game management. Instead, they know that the quantity and quality of the habitat, which depend on the size of the area available and the amount of food and shelter found there, together with the number of animals available for harvest, is the real basis for judging management. Additionally, in the case of wild animals, the weather is critical in making these animals available to the hunter and the ability of the area to sustain these animals year round. For this reason, Ralph Brownell's COMMENT in the Dec. 28 Gazette brought out just half the real story, and for some reason left out some facts and figures essential to the whole business. I have those omitted facts and figures and, as Paul Harvey might say, "here is the rest of the story."

Without addressing the pros and cons of non-

resident hunter numbers, but only because Brownell charges that Montana is overrun with non-residents because of the "more money syndrome" of its Fish and Game Department, let's take a look at some figures about Wyoming and Montana he somehow forgot. In 1979, Wyoming sold 37,000 non-resident \$100 deer tags, 6,000 non-resident \$250 elk tags and 36,026 non-resident \$100 antelope tags, for a total of 79,026 non-resident tags for \$8.8 million. On the other hand, Montana sold 690 non-resident \$50 deer tags, 17,000 combination \$225 non-resident elk-deer tags, and 958 non-resident antelope tags, for a total of 18,648 non-resident elk-deer-antelope tags for \$3.9 million. It seems Wyoming sold 60,378 more non-resident elk-deer-antelope tags than Montana for almost \$5 million more than Montana's sales. Incidentally, in Montana there were 15 times as many resident antelope hunters as non-residents, while in Wyoming there were about 6,000 more non-residents hunting antelope than residents.

I know that Wyoming has a first-rate game management program, just as Montana does, each dealing in its own way with game matters unique to it, but if Brownell wants to "play the numbers game," I have to stick with Wyoming, too. Brownell at least says he is really concerned and upset with the fact that Montana with its 470 Fish and Game people (there are 457) outnumbered Wyoming with its 320 people (there are 314), by 150. He is nearly correct with these figures and with the allegation about Montana having a \$13 million fiscal year 1980 budget. The rest of the story is that Wyoming's annual budget in 1979 was \$16 to \$17 million or about \$3 to \$4 million more than Montana. One way to look at this would be Montana, for \$3 to \$4 million less, has about

one-half again as many Fish and Game people serving its "customers."

Next to last, and using the averages for the 12 western states, the average resident deer tag is now \$8.10 (Montana, \$7), resident elk tag now \$19.50 (Montana, \$8), and resident antelope tag now \$17.10 (Montana, \$5). The Montana Fish and Game



Al Bishop, a Montana Fish, Wildlife and Parks Department commission member, is a native of Laurel, World War II Air Force veteran, a 1952 graduate of the University of Montana Law School and now in his 29th year of private law practice in Billings. He started fishing with his dad when a toddler.

Department proposes that by 1983 the resident deer tag by \$10, resident elk tag \$12 and the resident antelope tag \$10. Overall, in 1983, Montana would be charging considerably less than the 1980 averages for those 12 states. Wyoming resident tags are now \$15 for deer (Montana, \$7), \$25 for elk (Montana \$8) and antelope \$15 (Montana, \$5). Overall, our resident antelope-deer-elk hunter can buy all three tags for \$20, but the Wyoming resident pays \$55 for his same three tags.

To show that I have no interest in raising the

price of the Montana licenses other than to keep Montana the best there is, did you know that a Fish and Game Commissioner in Montana is not paid? He gets \$25 per diem for only those days attending commission meetings (20 days approximately per year at \$25 equals \$500). He pays for a lot of his traveling expenses, motels and meals out of his own pocket and begrudges not one cent. My own family's living comes entirely from my law practice. I buy my licenses just as any other hunter and the increase, if it is given by the Legislature (I'm keeping my fingers crossed), will be just that much for me, too. I also do not ever want the license costs to close hunting to all but the monied class, but let's look at the whole picture of license costs. My resident bird license costs \$4 in 1980, but my gasoline cost for each bird hunting trip probably averaged \$18. The proposed increase for the bird license from \$4 to \$6 is an increase of less than the cost of two gallons of gas, or, if you will, a 6-pack of beer.

Who is Brownell really trying to kid? The real problem, and if he's a true sportsman he ought to know it, is the daily destruction and the threat of a wildlife habitat destruction. We see it every day. Threats to the Yellowstone River reservation of flow, rural subdivision development on deer winter range and hard rock mining that disrupts wildlife populations, to name just a few. Who is going to feel these things the most? The hunters and fishermen of Montana. At least with an adequately financed Fish and Game Department, we have a better chance to go on fighting to hold onto much of what we still have and not actually ending up with the "less" Brownell wrote about. Brownell had better become a part of the solution instead of remaining a part of the problem.

VISITORS' REGISTER

HOUSE

Fish & Game

COMMITTEE

BILL

HB200

Date 1-29-81

SPONSOR

NAME	RESIDENCE	REPRESENTING	SUPPORT	OPPO
Eugene L. Miller	Philipsburg	Self	X	
Stefan Holman	MT Feol	Self	X	
Ray Kattel	WOLF CREEK	M.D.G.A.	X	
Shirley Elser	Missoula	SELF	X	
Michael Chandler	Missoula	Whit. Mont. Fish & Game Assoc.	X	
James F Johnson	Missoula	SELF		
MRS KRONBERG	"	SELF	X	
FRANK F. JOHNSON	"	"	X	
Michael Bissett	Helena	MT. Audubon Council	X	
Diana C. Wiener	Bonner	Self		X
EDD NENTWIG	SEELEY LAKE	MONTANA TRAPPEERS ASSOCIATION		X
James A. Johnson	Cardon	Montana Trappers Association		X
John & Donna Ray	Pray	Rancher	X	
Ed Skillman	Livingston Mont	Rancher Outfitter		X
Michael Larkin	Missoula	U.M. Wildlife Club	X	
William Saunders	Leavitt	Self		
W. Brummen	531 S. Oak	Self		X
Claude Sawyer	Brusett Mont	Self		X
Darlene Sawyer	Brusett Mont	Self		X
Wm. E. Walters	Brusett Mont	Self	X	
R.P. Myers	Bozeman mt	Self		X
Eldon O'Neil	Helena	Self		X
Bill Bolster	Elliston mt	Self + F+G Volunteers		X

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE

Fish & Game

COMMITTEE

BILL

HB 200

Date 1-29-81

NSOR

NAME	RESIDENCE	REPRESENTING	SUPPORT	OPPOS
Henry D. Taylor	Helena, MT.	Self		X
Frank DeLeo	Helena MT	Self		X
Harry Noel	Helena MT	Self		X
Tim Taylor	Helena, MT	Self		X
Jim Martin	Helena MT.	Self		X
Bill Jim	1012 Peeta, Helena	Self	X	
Anna Thompson	428 Wilbur, Helena	Self		X
Gary Davis	Box 282 HADEE	SELF	X	
Jerome Mathews	Avon	Self		X
Green Stone	5379 Hiway 122	Self		X
Joan Luck	1420 Otter Rd.	Self		X
W. Sutter	HELENA	SELF		X
Gene Gelpatruck	Helena, MT		X	
John G. Gelpatruck	Helena MT.	Landowner Relations / Sportsmen's Access Adv. Co.	X	
Paul Parnithel	Butte, Mont.	TROUT UNLIMITED	X	
Paul Williams SR	Helena Mont	Self		X
Wilbur Rehmann	Helena	Montana Wildlife Federation	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

STANDING COMMITTEE REPORT

February 19 19 81

MR. **SPEAKER:**

We, your committee on **FISH AND GAME**

having had under consideration **HOUSE** Bill No. **200**

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE FUNDS AVAILABLE FOR MANAGEMENT OF THE STATE'S WILDLIFE RESOURCES BY INCREASING THE FEES FOR HUNTING, FISHING, TRAPPING, AND RELATED LICENSES AND PERMITS; REMOVING THE 7-YEAR KILL LIMITATION ON CERTAIN GAME ANIMALS; AND REMOVING THE PRIORITY STATUS FOR UNSUCCESSFUL SPECIAL ELK AND ANTELOPE LICENSE APPLICANTS; AMENDING SECTIONS 87-2-104, 87-2-202, 87-2-301, 87-2-302, 87-2-304, 87-2-401 THROUGH 87-2-403, 87-2-501, 87-2-505, 87-2-507, 87-2-508, 87-2-601, 87-2-701, 87-2-702, 87-2-705, 87-2-706, 87-2-711, 87-2-805, 87-2-903, AND 87-5-204, MCA; REPEALING SECTIONS 87-2-303, 87-2-703, AND 87-2-721, MCA; AND PROVIDING SEPARATE EFFECTIVE DATES."

Respectfully report as follows: That **HOUSE** Bill No. **200**

SEE ATTACHED AMENDMENTS (4 PAGES)

DO PASS AS AMENDED

1. Title, line 14.
Following: "87-2-505,"
Strike: "87-2-507,"

2. Title, line 15.
Following: "87-2-711,"
Strike: "87-2-805,"
Insert: "AND"

3. Title, line 16.
Following: line 15
Strike: "AND 87-5-204,"

4. Page 2, line 4.
Following: "exceed"
Strike: "\$25"
Insert: "\$5"

5. Page 2, line 21.
Following: "\$1"
Strike: "\$3"
Insert: "\$2"

6. Page 3, line 2.
Following: "\$5"
Strike: "\$7.50 or, after April 30, 1983, a fee of \$10."
Insert: "\$6"

7. Page 3, line 9.
Following: "\$20"
Strike: "\$40"
Insert: "\$30"

8. Page 4, line 3.
Following: "of"
Strike: "\$5"
Insert: "\$3"

9. Page 4, line 10.
Following: "\$4"
Strike: remainder of line 10
Reinsert: "\$4"

10. Page 4, line 18.
Following: "\$30"
Strike: "\$40"
Reinsert: "\$30"

PAGE 2

AMENDMENTS TO HB 200 (continued)

11. Page 5, line 5.

Following: "\$62"

Strike: "\$55"

Insert: "\$33"

12. Page 5, line 19.

Following: "\$58"

Strike: remainder of line 19

Insert: ";

13. Page 5, line 20.

Following: line 19

Strike: line 20 in its entirety

14. Page 5, line 22.

Following: "\$8"

Strike: remainder of line 22

Insert: "\$9;"

15. Page 5, line 23.

Following: line 22

Strike: line 23 in its entirety

16. Page 5, line 24.

Following: "\$6"

Strike: "\$10"

Insert: "\$8"

17. Page 6, line 6.

Following: "\$225"

Strike: remainder of line 6

Insert: "\$250"

18. Page 6, line 7.

Following: line 6

Strike: "fee of \$325,"

19. Page 6, line 14.

Following: "than"

Strike: "17,000"

Insert: "15,000"

PAGE 2

AMENDMENTS TO HB 200 (continued)

11. Page 5, line 5.

Following: "\$2"

Strike: "\$5"

Insert: "\$3"

12. Page 5, line 19.

Following: "\$8"

Strike: remainder of line 19

Insert: ";

13. Page 5, line 20.

Following: line 19

Strike: line 20 in its entirety

14. Page 5, line 22.

Following: "\$8"

Strike: remainder of line 22

Insert: "\$9;"

15. Page 5, line 23.

Following: line 22

Strike: line 23 in its entirety

16. Page 5, line 24.

Following: "\$6"

Strike: "\$10"

Insert: "\$8"

17. Page 6, line 6.

Following: "\$225"

Strike: remainder of line 6

Insert: "\$250"

18. Page 6, line 7.

Following: line 6

Strike: "fee of \$325,"

19. Page 6, line 14.

Following: "than"

Strike: "17,000"

Insert: "15,000"

Page 2

MONTANA DEER TO BE 201 (cont.)

20. Page 6, line 16.

Following: line 15

Insert: "NEW SECTION. Section 12. B-11 and B-12 nonresident big game license. (1) Except as otherwise provided in this chapter, a person not a resident, as defined in 97-2-102, but who will be 12 years of age or older prior to September 15 of the season for which the license is issued may upon payment of the proper fee or fees, and subject to the limitations prescribed by law and department rule, purchase one each of the following licenses:

(a) class B-11 nonresident elk license for \$150; and

(b) class B-12 nonresident deer license for \$100.

(2) The license fees in subsection (1) include the nonresident conservation license fees for the license prescribed in 97-2-202.

(3) Not more than 2000 class B-11 elk tags or more than 2000 class B-12 deer tags may be sold in any one license year.

(4) The use of either license specified in subsection (1) is not restricted to any one specific authorized hunting area in Montana.

Renumber subsequent sections.

21. Page 6, line 20.

Following: "~~\$100~~"Strike: "~~\$250~~"Reinsert: "~~\$100~~"

22. Page 7, line 4.

Following: "~~\$5~~"Strike: "~~325~~"Reinsert: "~~\$5~~"

23. Page 7, line 12.

Following: "~~\$10~~"Strike: "~~\$25~~"Reinsert: "~~\$10~~"

24. Page 8, line 2.

Following: "~~\$25~~"Strike: "~~\$50~~"Reinsert: "~~\$25~~"Following: "~~\$150~~"Strike: "~~\$250~~"Insert: "~~\$175~~"

25. Page 8, line 3.

Following: "~~\$15~~"Strike: "~~\$50~~"Reinsert: "~~\$15~~"

Page 4
AMENDMENTS TO HB 200 (cont.)

26. Page 8, line 4.
Following: "\$150"
Strike: "\$250"
Insert: "\$175"

27. Page 8, line 5.
Following: "\$25"
Strike: "\$50"
Reinsert: "\$25"

28. Page 8, line 6.
Following: "\$150"
Strike: "\$250"
Insert: "\$175"

29. Page 8, line 7.
Following: "\$5"
Strike: "\$10"
Reinsert: "\$5"

30. Page 8, line 8.
Following: "\$25"
Strike: "\$50"
Reinsert: "\$25"

31. Page 8, line 9.
Following: line 8
Strike: "\$250"
Insert: "\$175"

32. Page 11, line 17.
Following: "\$35"
Strike: "\$40"
Reinsert: "\$35"

33. Page 12, line 13.
Following: "\$2"
Strike: "\$3"
Reinsert: "\$2"

34. Page 13, line 14.
Following: "\$3"
Strike: "\$25"
Reinsert: "\$3"

DO PASS AS AMENDED

MINUTES OF THE MEETING OF THE FISH AND GAME COMMITTEE
February 19, 1981

The meeting was called to order at 12:30 p.m. by Chairman Ellison. All committee members were present.

HOUSE BILL 731

Representative Daily, sponsor of HB 731, said HB 731 is an act to require the Department of Fish, Wildlife, and Parks (F, W, & P) to limit the number of outfitter and guide licenses issued or renewed for fishing and floating outfitters when the Fish and Game Commission finds detriment to the fishing resource or to the public health, safety, or welfare.

Proponents

Mr. Jim Flynn, Director of F, W, & P, spoke in support of HB 731. (EXHIBIT 1)

Opponents

Tag Rittel, Montana Outfitters and Guides Association, said the association would like more time in working with the outfitters concerning this bill. He said they would like more time to come up with a moratorium and then come back to the legislature in two years with a proposal. (EXHIBIT 2)

Jack Wemple, President of the Montana Outfitters Association, spoke in opposition to HB 731. (EXHIBIT 3)

Ralph Holman, representing the Montana Outfitter Council, spoke in opposition to HB 731. (EXHIBIT 4)

Smoke Elser, representing himself, said the bill is too ambiguously written to have any authority. The authority that is given in this bill is too broad.

Jack Atcheson also spoke in opposition to HB 731.

Gary Nesse spoke in opposition to HB 731. He said with the way this bill is written, his source of income could be cut out from underneath him at anytime.

C. B. Rich, an outfitter, said he doesn't feel the state agency should be given the power to deny or revoke a license.

Mr. Flynn said this bill doesn't give F, W, & P any unique authority they do not already have. This bill was drafted to solve the Madison Valley River problem.

Representative Devlin asked Mr. Nesse if he floats the Madison River. Mr. Nesse said he does. Representative Devlin asked Mr. Nesse if he believes there is a problem now. Mr. Nesse said there is a social problem. The heaviest use of the river is during a three week period that coincides with salmon fly hatch. There is a management technique available to F, W, & P now without having to gain additional legislation authorizing them to accomplish goals designed to alleviate pressure. He said there are alternatives available that outfitters can agree to in order to improve overcrowding on the river. Mr. Nesse said 75% of the use of the river is from outfitters and guides. He feels outfitters and guides should be able to work with each other to solve this problem.

Representative Phillips asked if F, W, & P anticipated not renewing licenses. Mr. Flynn said no, but there are a number of different approaches to solve the problems. Nonrenewal of licenses is a management tool that may or may not be used.

Mr. Flynn suggested to the committee that a sunset date be put on this legislation (of 2 years, for example) and then the F, W, & P would have to come in and, if a better method of control is needed, present a different proposal at that time.

Mr. Wemple agreed with the sunset idea but said he thinks there is an easier way. He said everyone is in favor of a moratorium and asked if a committee bill could be drafted to establish a moratorium.

Chairman Ellison said this committee doesn't have the time needed to submit a committee bill.

Representative Jacobsen asked if it would help the situation to put a freeze on any additional licenses issued during the next two years. Mr. Wemple said it would help as long as it referred to the Madison River.

Representative Daily said he is amazed at the opponents of HB 731. He said they recognize there is a serious problem but they do not want to do anything about the problem. He said he doesn't want to do anything to affect the free enterprise system. Representative Daily said this committee has to consider sportsmen. If there is a problem and the rivers are being overfished, we need to address that problem. He said he has talked with Spence Hegstad, from the Fish and Game Commission, and he said if this bill doesn't pass, the moratorium will be lifted.

The hearing on HB 731 was closed.

HOUSE BILL 738

Representative Ryan, sponsor of HB 738, said this bill is an act to clarify that it is lawful to take wildlife to protect persons or livestock. He said there have been problems with bears killing sheep. Representative Ryan said there will have to be an amendment in this bill. The bill will have to be amended to read chapter 3 instead of chapter 5 on lines 18 and 19.

Proponents

Keith Cable, a rancher, told the committee a story of the problems he has been faced with concerning bears killing his sheep.

Mr. Cable said he was in favor of HB 738 and said the livestock people will not take advantage of the proposed law. He said the F, W, & P people cannot protect livestock because the F, W, & P people are not around when the bears cause the problems.

Joe Helle spoke in support of HB 738. He said when there is a problem with livestock killings, there is an immediate need for action and the situation has to be taken care of then. He feels the farmers and ranchers should have the ability to take care of those problems.

John Baucus, a rancher, told the committee his ranch has lost over \$6,000 in livestock because of bears killing his sheep. He said he has to be able to protect his livelihood.

Teddy Thompson gave written testimony in support of HB 738.
(EXHIBIT 5)

Opponents

Mr. Jim Flynn read a prepared statement in opposition to HB 738.
(EXHIBIT 6)

Mr. Flynn said the F, W, & P feels there already is a process whereby persons who have to kill an animal that threatens their livestock can do so. He said there is game management of bears in Montana. There is a season every year which calls for the taking of 25 bears. If a bear is killed as a result of threat to livestock, that bear is counted as one of the 25 limit.

The hearing on HB 738 was closed.

HOUSE BILL 766

Representative Ellison, sponsor of HB 766, told the committee that

HB 766 is a committee bill. This bill has been heard in essentially the same form.

Proponents

Glen Childers, representing himself, said he endorses HB 766.

Opponents

Mr. Jim Flynn submitted written testimony in opposition to HB 766. (EXHIBIT 7)

Mr. Flynn said this bill may be short circuiting a good review process by inserting "governor". He said that would insert more pressure into the process that is not necessary. Mr. Flynn feels the process now in effect is good and democratic; the legislature has input and the F, W, & P has input.

Larry Fasbender, legislative liaison for the Governor's Office, said there are some problems with HB 766. Mr. Fasbender said if HB 766 is passed, the Fish and Game Commission would be completely bypassed. He said the Governor should not have to be lobbied. Mr. Fasbender said the Governor's Office would prefer to have the process go through the commission and then to the Governor.

Wilbur Rehmann, Executive Director of the Montana Wildlife Federation, said he is concerned with the proposed review process. He feels the current process is adequate. Mr. Rehmann said there may be some political ramifications on acquisition if the acquisitions have to be approved by the Governor.

Representative Burnett said with the amount of money involved, there should be a different review process. Mr. Flynn said the concern of F, W, & P is that if a piece of property is requested, people could go right to the Governor. Representative Burnett said it is not the intent of the bill to go to the Governor first. The intent is to make the acquisition more viable to the public. Mr. Flynn said there will be people who will beat the Governor's door down to get land acquisitions.

Representative Phillips said the bill states, "with the consent of the commission and.....the approval of the governor". Mr. Flynn said, in reality, it cannot be mandated for everyone to go through that process.

Chairman Ellison said this bill has been before this committee for years. There is a reason. People want some elected official to take responsibility of land purchases.

The hearing on HB 766 was closed.

At this time, the committee went into EXECUTIVE SESSION.

HOUSE BILL 200

Representative Devlin went over the proposed amendments as drawn up by the subcommittee on HB 200. (EXHIBIT 8)

Representative Devlin moved the AMENDMENTS TO HB 200 DO PASS.

Representative Hart told the committee there is no fee, right now, for catching paddlefish. She said F, W, & P would like to issue tags for tagging paddlefish immediately after being caught. Once a paddlefish is caught, it cannot be let go. Representative Hart feels the \$5 fee being proposed is too high. She feels \$2 would be more appropriate.

Representative Roush said there is a problem with the mess left from "gutting" a paddlefish. He feels the \$5 fee would be a fair amount to help with the clean up costs.

Representative Daily moved an amendment on line 18 of page 3. He moved the \$4 fee be increased to \$5.

The motion was voted on and FAILED.

Representative Jensen moved an amendment on line 3, page 4. He moved the \$5 fee be decreased to \$3.

The motion was voted on and PASSED.

Mr. Flynn said the Fish and Game Commission has authorized 1,000 licenses to be sold separately for Eastern Montana hunting.

Representative Daily asked if those 1,000 licenses were over and above the 17,000 currently sold. Mr. Flynn said that was correct.

Mr. Flynn said, with the addition of the 4,000 licenses, there will be an administrative cost and it will be expensive to administer the new concept. Mr. Flynn said he would like funding to be appropriated for the administration of the new concept.

Representative Phillips moved an amendment to HB 200. He moved the \$5 on page 3, line 2, be amended to \$6.

The motion was voted on and PASSED.

Representative Feda made a motion to have this subcommittee allow Mr. Flynn to address any problems with the proposed amendments that he might have.

The motion was voted on and PASSED.

Mr. Flynn told the committee that it costs F, W, & P \$32,000 per year to clean up 40 tons of paddlefish "leftovers". There are three bills that will impact F, W, & P negatively (approximately \$300,000 per year). Mr. Flynn said the appropriations subcommittee for the F, W, & P budget is only allowing for a 9% pay plan increase. The employees' unions are saying there will be a 12% increase. That represents a negative \$100,000, if passed at 12%.

Mr. Flynn said the F, W, & P has "eaten" over \$2 million over the last two years and now they are being asked to "eat" another \$3 million to \$4 million over the next two years.

Mr. Flynn said there are two reasons for the proposed increase in the conservation licenses. One reason is because of income and the second reason is that the conservation licenses are what F, W, & P use as a basis to get federal funding from the Pittman-Robertson funds. The federal government has said \$1 is not a serious fee and F, W, & P may lose some of that funding if the conservation license fee is not increased.

Mr. Flynn said the F, W, & P is not coming up with requests to "sit in luxury"; there are serious problems which deserve serious consideration.

The meeting was recessed until the House of Representatives adjourn for the day.


ORVAL ELLISON, Chairman

vml

PRESENTED BY: James W. Flynn, Director
Dept. Fish, Wildlife, & Parks

February 19, 1981

HB 731

Mr. Chairman, members of the committee, my name is Jim Flynn. I appear today on behalf of the Montana Department of Fish, Wildlife, & Parks, and I speak in favor of HB 731.

The upper Madison River has had a boat fisherman/bank fishermen conflict for several years. A boat passing through an area (whether or not people are fishing from it) disrupts the fishing in that area for a short time. Occasional boats are tolerable to bank and wading anglers, but steady boat traffic severely degrades the quality of their fishing. In 1978, the Fish & Game Commission set up a Madison River Boat Regulation Study Committee to advise them on possible solutions to this problem. This committee, which was composed of sportsmen, guides and outfitters, and state and federal fisheries workers, held seven meetings and conducted two public hearings in the Ennis area and gave their final report to the commission in November, 1979. One of the committee's recommendations was that the commission impose a one year moratorium on new commercial guides and outfitters on the upper Madison River. In other words, they asked that the commission not allow the commercial use on the upper Madison to expand beyond what it was in 1979. The commission set up this moratorium in March, 1980 to last for one year. It also expanded the Madison Committee to a Statewide Boat Regulation Study Committee with the expectation that the moratorium on the Madison would very likely make boating use increase faster on other waters. The new committee has met six times and held three public hearings, one each in Livingston, Ennis, and Butte. Public comment at the hearings was generally to keep the Madison moratorium in effect for the

coming year and also to impose a similar moratorium on the Big Hole. While the committee's final recommendations have not yet been made, they will almost certainly include some geographical limitations on numbers of commercial guides and outfitters in heavy use areas.

A very recent legal interpretation indicates that such limitations on commercial activities, including the present Madison moratorium, are in potential violation of a federal statute unless the authorization to impose such limitations is specifically granted to an agency or board by state law. If it is proven that the federal statute is violated, then personal liability may result for the Fish & Game Commission. That is the reason we request this bill.

This bill makes two changes in the outfitter law. The first adds floating to the type of outfitters the commission may regulate. The second allows the commission to limit the number of fishing and floating guides and outfitters for the protection of the fishing resource, or for the protection of public health, safety, or welfare.

The Fish & Game Commission may regulate certain types of boating activities. However, it cannot regulate general boating traffic by the public. The department and commission can regulate commercially guided fishing trips but not commercially guided floating trips for other purposes such as scenic touring or whitewater rafting. The state's rivers are used commercially for fishing, floating, and whitewater floating. Regulations to reduce crowding on the rivers must be applicable to all commercial uses if they are to be effective.

If passed, HB 731 would allow the commission to continue in its attempt to solve boat problems in heavy use areas. Without this legislation, the

commission cannot address the problem. We recommend HB 731 do pass.

Although it addresses only the commercial aspect of increasing boating use on rivers, we believe it is a necessary and logical step at this time. Eventually, some agency is going to receive the authority to regulate general public boating use as well as commercial, but we doubt the need for this authority at this time. We feel that the commercial uses must be fully regulated before the majority of river users will accept regulation of the private sector.

NAME Tao Ritter BILL No. 731
ADDRESS Wolf Creek DATE 2/19
WHOM DO YOU REPRESENT Montana Outfitter & Guide Assoc
SUPPORT _____ OPPOSE ✓ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

M.O.G.A. Opposes This Bill We
Would Like To Have More Time In
Working A Law With All Outfitters

NAME Jack Wemple BILL No. 731
ADDRESS Victor, MT. 59875 DATE 2-19-81
WHOM DO YOU REPRESENT President Montana Outfitters Assn
SUPPORT _____ OPPOSE ✓ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

This Bill, if passed, would only curtail some more of the Free Enterprise System. The Outfitting Industry contributes substantially to the \$900, million dollar Travel/Tourism Industry of Montana. Our Industry does not need Legislation of this nature.

This Bill was designed to alleviate a problem on the Madison River. This bill would only add to the problem, not alleviate it. This bill has been designed to release the legal liability of the persons who instituted the Madison River Moratorium. Under the Sherman Anti Trust Laws of the U.S., the Moratorium was illegally instituted. We do not want our Industry to be the scapegoat for a Managing Agency's illegal acts.

Our industry is currently working together to come up with viable solutions to this problem.

I strongly recommend a do not pass on this Bill.

Jack Wemple

Re: H.B. 731

The Montana Outfitter Council is on record as opposing the Madison River Moratorium effective during 1980. At our last (February 3, 1981) Council meeting, the Council was unanimous in opposing legislation designed to control the guided public thru boat/float outfitters unless said legislation also provided controls for the non-guided public.

We recognize that boat/floating on some rivers currently is a problem; also that said problem requires a solution. However H.B. 731 does not administer a solution to the problem. It merely treats one of the symptoms. To be effective a solution must give fair consideration to all aspects. To be effective, use by the public in general must also be regulated. Why should the outfitter be the scapegoat? The outfitter is only involved because one segment of the general public require and demand his services. This same segment could also bring their own boats, rent boats in a nearby town or float with friends. H. B. 731 will encourage this practice. An outfitter is also a member of the public and as such, is free to float alone or with a group of friends on a non commercial basis. Who has been stopped? What has been accomplished?

The outfitter plays an important part in Montana's tourist industry, a 900 million dollar industry that is second only to agriculture for jobs provided. These are the people who come to Montana to enjoy our Blue Ribbon fishing, scenic beauty, etc. These are the people who spend a lot of dollars in Montana in the course of their enjoyment. To limit the outfitter is to limit the pleasure of the nonresident who makes this contribution to our economy possible. How many wouldn't come to Montana if they were turned away? What would the effect on our economy be? How many licenses wouldn't be sold?

The outfitters or guides are generally not fishing, so they are not damaging the resource. They are only providing a service to that segment of the general public who prefer to have that service available and pay generously for it. This same segment of the general public can bring their own boats or rent them or go with friends.

If there is damage to our resource, we as outfitters and guides are extremely concerned. We would recommend that over-all numbers be reduced or seasons shortened.

H. B. 731 as written, discriminates against the outfitter who is only providing a service and really is only part of the problem because of this. He doesn't fish, but he does play an important role in the economy of Montana.

One good point of H. B. 731 is that it will place a definite "Blue Sky" value on an outfitter's business.

We respectfully request that you do not pass H. B. 731.

*Ralph M. Holman,
Chairman
Montana Outfitter Council*



Teddy Thompson

Box 283 976

Phone (406) 932-2551

Big Timber, Montana 59011



Mr Chairman and members of the House Fish and Game Committee:

My name is Teddy Thompson and I reside on a ranch in Sweet Grass County.

I have come to Helena to give my support to H. B. 738.

We have had sheep in the mountains in South Central Montana, Just north of the Yellowstone National Park since the early twentys. I personally spent from 1933 to 1946 tending camp for different herders. We made alot of contributions of lamb and mutton to hungry animals. In those days we were able to take the stock killing animals without a fear of being arrested. The only animals that were taken were the one who followed our sheep from camp to camp. The most simple way to get rid of stock killing animals is to do it when they are in the act. As you all know from the past accounts of killings and maulings, the officials will come running in after the damage has been done and they usually shoot several animals in hopes they are going to get the right one. This is not good business for the people and the animals involved.

In the early seventys when the Park Service, Montana Fish and Game Department and the Forest Service decided to haul out problem grizzly bears to the high Absaroka sheep ranges there was no consideration given to the herders, who were in the area with their flocks. This action by the Government agencies caused a grizzly bear to be shot in the middle of a band of sheep. The people in charge of the sheep were arrested. A group of stockman went together and hired a lawyer to defend the herders. The case was heard in Park County in front of a Justice of the Peace jury. The herders were found not guilty due to the fact they were up there to protect their sheep.

In closing I would urge all members of the Fish and Game Committee to vote for H. B. 738.

Thank you

Teddy Thompson

PRESENTED BY: James W. Flynn, Director
Dept. Fish, Wildlife, & Parks

February 19, 1981

HB 738

Mr. Chairman, members of the committee, my name is Jim Flynn. I appear today on behalf of the Department of Fish, Wildlife, & Parks, and I speak in opposition to HB 738.

My testimony on this bill is brief. The legislation is not needed. To the extent the bill is designed to permit the killing of wildlife that is threatening people or livestock, current law so permits. Section 87-1-225, MCA, provides for taking wild animals which damage property or crops by permits to property owners or by special seasons. It further removes wild and ferocious animals which damage property or endanger life from the permit or special season requirement. Section 87-5-109, MCA, provides for removal by capture of state listed endangered species in emergencies involving immediate threat to human life. Even federal statutes permit taking of endangered or threatened species when a person has a good faith belief that he was acting to protect himself or another individual from bodily harm.

To the extent the bill is designed as a game damage bill, present law and Fish & Game Commission rules provide adequate authority to address those situations.

If this bill is to get the department's attention, consider it done.
I recommend a do not pass on HB 738.

PRESENTED BY: James W. Flynn, Director
Dept. Fish, Wildlife, & Parks

February 19, 1981

HB 766

Mr. Chairman, members of the committee, my name is Jim Flynn. I appear today on behalf of the Department of Fish, Wildlife, & Parks, and I speak in opposition to HB 766.

Earlier this session, this committee considered HB 251. HB 251 was designed to do essentially the same thing as HB 766. However, the limitations on acreage and dollars were different. HB 766 has increased the dollar limit to \$100,000 and the acreage limit to 100 acres. While this increase in limits removes much of the sting from HB 251, it does not take away the essential objections to stacking another level of approval on the department's land purchases.

For purposes of this testimony, please consider the information presented on HB 251, particularly the amount of lands purchased and leased by the department, the small percentage of those lands are of 94 million acres within the state of Montana, and the purposes of these lands such as wildlife habitat, recreational opportunity, and fishing access. I would like to reiterate that the department does not purchase these lands without due consideration. After contact from a willing seller, a real estate agent, or department employees, land acquisition is reviewed by regional supervisors and wildlife, parks, or fisheries personnel for their potential as viable wildlife habitat. It is reviewed to determine whether it meets requirements under federal aid statutes and I must approve and make the final decision on purchase before final action is taken. My decision is taken to the Fish & Game Commission for their approval before any acquisition of land is carried out.

We would like to point out Commissioner Spence Hegstad's comments on HB 251 that the Fish & Game Commission is a citizen commission which oversees the department's land acquisition program. They review and question each acquisition before final action.

As you know, the department is not going to have a major budget for large land purchases in the upcoming biennium, but to the extent that a willing seller appears with the potential for protecting wildlife habitat and providing fishing and other recreation opportunity which may be determined as essential in a given area, this bill will add to the bureaucracy necessary in making that acquisition.

It will also create a potential of reverse pressure. By this, I mean that instead of individuals coming to the department to purchase land and to learn if the department is interested, they would be encouraged by this bill to go to the governor and seek to encourage him to talk to the department and commission about purchase of the land. At the present time, lands are purchased for their present and potential wildlife and recreational values.

For these reasons, we recommend HB 766 be given a do not pass recommendation.

1 HOUSE BILL NO. 200
 2 INTRODUCED BY Ellison
 3 BY REQUEST OF
 4 THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
 5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE FUNDS
 7 AVAILABLE FOR MANAGEMENT OF THE STATE'S WILDLIFE RESOURCES
 8 BY INCREASING THE FEES FOR HUNTING, FISHING, TRAPPING, AND
 9 RELATED LICENSES AND PERMITS; REMOVING THE 7-YEAR KILL
 10 LIMITATION ON CERTAIN GAME ANIMALS; AND REMOVING THE
 11 PRIORITY STATUS FOR UNSUCCESSFUL SPECIAL ELK AND ANTELOPE
 12 LICENSE APPLICANTS; AMENDING SECTIONS 87-2-104, 87-2-202,
 13 87-2-301, 87-2-302, 87-2-304, 87-2-401 THROUGH 87-2-403,
 14 87-2-501, 87-2-505, ~~87-2-602~~, 87-2-508, 87-2-601, 87-2-701,
 15 87-2-702, 87-2-705, 87-2-706, 87-2-711, ~~87-2-803~~ ^{AND} 87-2-903,
 16 ~~87-2-204~~, MCA; REPEALING SECTIONS 87-2-303, 87-2-703,
 17 AND 87-2-721, MCA; AND PROVIDING SEPARATE EFFECTIVE DATES."
 18
 19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 20 Section 1. Section 87-2-104, MCA, is amended to read:
 21 "87-2-104. Number of licenses allowed. Only one
 22 license of any one class, except Class B-3 and B-4 licenses,
 23 shall be issued to any one person. The department may
 24 prescribe rules and regulations for the issuance or sale of
 25 a replacement license of the same class in the event the

1 original license is lost, stolen, or destroyed upon payment
 2 of the sum of \$3--or--the--cost--of--the--original--license,
 3 whichever is the smaller amount of the original price of the
 4 ~~lost, stolen, or destroyed license, not to exceed \$25."~~ ^{\$5}

5 Section 2. Section 87-2-202, MCA, is amended to read:
 6 "87-2-202. Application -- stamp attachment -- fee --
 7 expiration. (1) A wildlife conservation license shall be
 8 sold upon written application. The application shall contain
 9 the applicant's name, age, occupation, place of residence,
 10 post-office address, and length of time in the state of
 11 Montana; state whether the applicant is a citizen of the
 12 United States or an alien; and be subscribed by the
 13 applicant. The applicant shall present a driver's license or
 14 other identification to substantiate the information.

15 (2) Hunting, fishing, or trapping licenses in the form
 16 of tags or stamps issued to a holder of a wildlife
 17 conservation license must be affixed to or recorded on the
 18 wildlife conservation license according to such rules as the
 19 department may prescribe.

20 (3) Resident and nonresident wildlife conservation
 21 licenses may be purchased for a fee of ~~\$12.50~~ ^{\$12}.

22 (4) Licenses issued shall be void after April 30 next
 23 succeeding their issuance."

24 Section 3. Section 87-2-301, MCA, is amended to read:
 25 "87-2-301. Class A--resident fishing license. Any

Phillips wants to insert #6 > passed

1 resident, as defined by 87-2-102, upon payment of a fee of
2 ~~\$5.50 or, after April 30, 1983, a fee of \$10~~, shall
3 receive a Class A license which shall entitle the holder
4 thereof to fish with hook and line or rod as authorized by
5 regulations of the department."

6 Section 4. Section 87-2-302, MCA, is amended to read:

7 "87-2-302. Class B--nonresident fishing license. Any
8 person not a resident, as defined in 87-2-102, upon payment
9 of the sum of ~~\$20~~ ^{\$30} to any agent of the department
10 authorized to issue fishing and hunting licenses, shall be
11 entitled to a Class B license which shall entitle the holder
12 thereof to fish with hook and line as authorized by the
13 rules and regulations of the department."

14 Section 5. Section 87-2-304, MCA, is amended to read:

15 "87-2-304. Class B-4--~~one-day two-day~~ nonresident
16 fishing license. Any person not a resident, as defined in
17 87-2-102, who is a holder of a valid wildlife conservation
18 license, upon payment of the sum of ~~\$2.50~~ to any agent of
19 the department authorized to issue fishing and hunting
20 licenses, shall be entitled to a ~~1-day 2-day~~ nonresident
21 fishing license which shall authorize the holder to fish
22 with hook and line as prescribed by rules and regulations of
23 the department for ~~1 2~~ calendar day ~~days~~ as indicated on the
24 license."

25 NEW SECTION. Section 6. Paddlefish tags. The

Jensen's passed

1 department may issue paddlefish tags to holders of valid
2 Class A, Class B, and Class B-4 fishing licenses for a fee
3 of ~~\$5~~ ^{\$3}. Each tag authorizes the holder to fish with hook and
4 line for paddlefish as prescribed by rules of the
5 department.

6 Section 7. Section 87-2-401, MCA, is amended to read:

7 "87-2-401. Class A-1--resident game bird license.

8 Except as otherwise provided, a resident, as defined by
9 87-2-102, who is 12 years of age or older may, upon payment
10 of a fee of ~~\$5~~ ^{MCA 84} or, after April 30, 1983, a fee of ~~\$6~~
11 receive a Class A-1 license which will entitle the holder to
12 pursue, hunt, shoot, and kill game birds and possess the
13 carcasses of game birds as authorized by department rules."

14 Section 8. Section 87-2-402, MCA, is amended to read:

15 "87-2-402. Class B-1--nonresident game bird license.

16 Except as otherwise provided in this chapter, a person not a
17 resident, as defined in 87-2-102, but who is 12 years of age
18 or older, upon payment of a fee of ~~\$30~~ ^{new \$30} may receive a
19 Class B-1 license which shall entitle the holder thereof to
20 pursue, hunt, shoot, and kill game birds and possess the
21 carcasses of game birds as authorized by department rules."

22 Section 9. Section 87-2-403, MCA, is amended to read:

23 "87-2-403. Wild turkey tags and fee. (1) The
24 department may issue wild turkey tags to the holder of a
25 valid Class A-1 or Class B-1 license. Each tag shall entitle

1 the holder to pursue, hunt, shoot, and kill one wild turkey
2 and possess the carcass thereof, during such times and such
3 places as the department shall authorize an open season on
4 wild turkey.

5 (2) The fee for a wild turkey tag shall be \$2 ^{\$3} ~~25~~.
6 Turkey tags shall be issued either by a drawing system or in
7 unlimited number as authorized by department rules."

8 Section 10. Section 87-2-501, MCA, is amended to read:

9 "87-2-501. Class A-3, A-4, A-5, A-6--resident deer,
10 elk, and bear licenses. Except as otherwise provided in this
11 chapter, a resident, as defined by 87-2-102, who will be 12
12 years of age or older prior to September 15 of the season
13 for which the license is issued may, upon payment of the
14 proper fee or fees, be entitled to purchase one each of the
15 following licenses which will entitle the holder to pursue,
16 hunt, shoot, and kill the game animal or animals authorized
17 by the license held and to possess the carcasses of those
18 game animals as authorized by department rules:

19 (1) Class A-3, deer A tag, \$7 ^{\$8} ~~30 until April 30, 1983~~
20 ~~then \$10~~ ^{Strike everything after 8.}

21 (2) Class A-4, deer B tag, \$5; ^{\$9}

22 (3) Class A-5, elk tag, \$8 ^{\$10} ~~until April 30, 1983~~
23 ~~then \$12~~ ^{\$8}

24 (4) Class A-6, black or brown bear tag, \$6 ~~\$10~~

25 Section 11. Section 87-2-505, MCA, is amended to read:

1 "87-2-505. Class B-10--nonresident big game
2 combination license. Except as otherwise provided in this
3 chapter, a person not a resident, as defined in 87-2-102,
4 but who will be 12 years of age or older prior to September
5 15 of the season for which the license is issued may, upon
6 payment of the fee of \$225 ^{\$250} ~~\$300 or, after April 30, 1983, a~~
7 ~~fee of \$325~~, and subject to the limitations prescribed by
8 law and department regulation, apply to the fish and game
9 office, Helena, Montana, to purchase a B-10 nonresident big
10 game combination license which shall entitle the holder to
11 all the privileges of Class B, Class B-1, Class B-7, and
12 black bear licenses, and an elk tag. This license includes
13 the nonresident conservation license as prescribed in
14 87-2-202. Not more than ^{15,000} ~~17,000~~ Class B-10 licenses may be
15 sold in any one license year."

16 ^{insert new section} Section 12. Section 87-2-507, MCA, is amended to read:

17 "87-2-507. Class D-1--nonresident mountain lion
18 license. Except as otherwise provided in this chapter, a
19 person not a resident, as defined in 87-2-102, but who is 12 ^{\$100}
20 years of age or older, upon payment of a fee of \$100 ~~\$220~~ ^{License}
21 may receive a Class D-1 license which shall entitle the
22 holder thereof to pursue, hunt, shoot, and kill mountain
23 lion and possess the carcass thereof as authorized by
24 department rules."

25 Section 13. Section 87-2-508, MCA, is amended to read:

1 "87-2-508. Class D-2--resident mountain lion license.
 2 Except as otherwise provided in this chapter, a person who
 3 is a resident, as defined in 87-2-102, and who is 12 years
 4 of age or older, upon payment of a fee of ~~\$5~~ ^{\$5} ~~\$25~~ may receive
 5 a Class D-2 license which shall entitle the holder thereof
 6 to pursue, hunt, shoot, and kill mountain lion and possess
 7 the carcass thereof as authorized by department rules."

8 Section 14. Section 87-2-601, MCA, is amended to read:

9 "87-2-601. Class C--trapper's license. Except as
 10 otherwise provided in this chapter, a resident, as defined
 11 in 87-2-102, upon making application and payment of a fee of
 12 ~~\$10~~ ^{\$10} ~~\$25~~ to the department, may receive a Class C license
 13 which shall authorize the holder thereof to trap fur-bearing
 14 animals and hunt bobcat, wolverine, and Canada lynx within
 15 the state of Montana at such times and in such manner as may
 16 be lawful so to do under the laws of the state and the
 17 regulations of the department and at such places as may be
 18 designated in said license."

19 Section 15. Section 87-2-701, MCA, is amended to read:

20 "87-2-701. Special licenses. (1) Any applicant who
 21 will be 12 years of age or older prior to September 15 of
 22 the season for which the license is issued and is the holder
 23 of a resident wildlife conservation license or a nonresident
 24 wildlife conservation license may apply for a special
 25 license which, in the judgment of the department, is to be

1 issued and shall pay the following fees therefor:

- 2 (a) moose--resident, ~~\$25~~ ^{\$25} ~~\$50~~; nonresident, ~~\$150~~ ^{\$175} ~~\$250~~;
 3 (b) mountain goat--resident, ~~\$15~~ ^{\$15} ~~\$50~~; nonresident,
 4 ~~\$150~~ ^{\$175} ~~\$250~~;
 5 (c) mountain sheep--resident, ~~\$25~~ ^{\$25} ~~\$50~~; nonresident,
 6 ~~\$150~~ ^{\$175} ~~\$250~~;
 7 (d) antelope--resident, ~~\$5~~ ^{\$5} ~~\$10~~; nonresident, ~~\$100~~;
 8 (e) grizzly bear--resident, ~~\$25~~ ^{\$25} ~~\$50~~; nonresident, ~~\$150~~ ^{\$175} ~~\$250~~;
 9 (f) black or brown bear--nonresident, \$100.

11 (2) In the event a holder of a valid special grizzly
 12 bear license kills a grizzly bear, he must purchase a trophy
 13 license for a fee of \$25 within 10 days after date of kill.
 14 Such trophy license shall authorize the holder to possess
 15 and transport said trophy.

16 (3) Special licenses shall be issued in a manner
 17 prescribed by the department."

18 Section 16. Section 87-2-702, MCA, is amended to read:

19 "87-2-702. Restrictions on special licenses. (1)--A
 20 person--who--has--obtained--a--grizzly-bear, moose, mountain
 21 goat, or mountain sheep license is not eligible to apply for
 22 another such license for the next succeeding 7 years if such
 23 person has killed or taken an animal of the species for
 24 which the special license was issued. A person who has
 25 obtained a grizzly bear, moose, mountain goat, or mountain

1 ~~sheep--license--but--did--not--kill--or--take--an--animal--of--the~~
 2 ~~species--for--which--the--special--license--was--issued--is--eligible~~
 3 ~~to--apply--for--another--such--license--in--any--succeeding--year--if~~
 4 ~~he--returns--his--unused--special--license--to--the--department~~
 5 ~~before--or--at--the--time--application--is--made.~~

6 (2)(1) A person who has received a special permit for
 7 elk is not eligible to receive a second special permit for
 8 this species of game animal during any license year.
 9 However, in the event the number of applications received is
 10 not equal to the number of game animals desired to be killed
 11 by the department, reapplication may be made by those valid
 12 license holders of the current year who may fall within
 13 these limitations.

14 (3)(2) A person who has killed or taken any game
 15 animal, except a deer or an antelope, during the current
 16 license year is not permitted to receive a special license
 17 under this chapter to hunt or kill a second game animal of
 18 the same species."

19 Section 17. Section 87-2-705, MCA, is amended to read:

20 "87-2-705. Drawing for special elk permits. In the
 21 event the number of valid applications for special elk
 22 permits for a hunting district exceeds the quota set by the
 23 department for the district, these permits shall be awarded
 24 by a drawing. ~~Persons--making--valid--application--who--did--not~~
 25 ~~receive--a--special--elk--permit--during--the--season--immediately~~

1 preceding--the--drawing--shall--receive--first--preference--in--this
 2 drawing---for---first,--second,--and--third--choice--hunting
 3 districts. The department shall provide for those persons
 4 making valid application for special elk permits a method of
 5 selecting first, second, and third choice hunting districts
 6 for any drawing held pursuant to this section. The
 7 department may promulgate the rules necessary to implement
 8 this section."

9 Section 18. Section 87-2-706, MCA, is amended to read:

10 "87-2-706. Drawing for special antelope licenses. In
 11 the event the number of valid applications for special
 12 antelope licenses for a hunting district exceeds the quota
 13 set by the department for the district, such licenses shall
 14 be awarded by a drawing. ~~Persons--making--valid--application~~
 15 ~~who--did--not--receive--an--antelope--license--during--the--season~~
 16 ~~immediately--preceding--the--drawing--shall--be--given--first~~
 17 ~~preference--in--such--drawing--for--first,--second,--and--third~~
 18 ~~choice--hunting--districts.~~ The department shall provide for
 19 those persons making valid application for special antelope
 20 licenses a method of selecting first, second, and third
 21 choice hunting districts for any drawing held pursuant to
 22 this section. The department shall have the authority to
 23 promulgate such rules and regulations as are necessary to
 24 implement this section."

25 NEW SECTION. Section 19. Drawing fee. (1) When the

NO CHANGES

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1 department determines a drawing is necessary prior to
2 issuance of hunting licenses for any game species during a
3 hunting season, it shall collect a \$5 drawing fee with each
4 application submitted.

5 (2) This fee must be deposited in the earmarked
6 revenue fund to the credit of the department as set forth in
7 87-1-601.

8 (3) The payment of a drawing fee confers no hunting
9 rights or privileges.

10 (4) The commission may waive the provisions of
11 subsection (1) when a drawing is required for a special
12 season under 87-1-304.

13 Section 20. Section 87-2-711, MCA, is amended to read:

14 "87-2-711. Class AAA--sportsman's license. Any
15 resident, as defined by 87-2-102, who will be 12 years of
16 age or older prior to September 15 of the season for which
17 the license is issued, upon payment of the sum of ~~\$35~~ ^{\$35 - reinvest} ~~\$40~~,
18 shall be entitled to a sportsman's license which shall
19 permit the holder to exercise all rights granted to holders
20 of Class A, A-1, A-3, A-5, A-6, and resident conservation
21 licenses as prescribed in 87-2-202. The department shall
22 furnish each holder of a sportsman's license an appropriate
23 decal."

24 Section 21. Section 87-2-805, MCA, is amended to read:

25 "87-2-805. Persons under fifteen years of age. (1)

1 Minors under 15 years of age may fish for and take fish
2 during the open season without a license. However, no
3 nonresident person under the age of 15 years may fish in or
4 on any Montana waters without first having obtained a Class
5 B, B-3, or B-4 fishing license unless the nonresident person
6 under the age of 15 years is in the company of an adult in
7 possession of a valid Montana fishing license. The limit of
8 fish for the nonresident person and the accompanying adult
9 combined may not exceed the limit for one adult as
10 established by law or by rule of the department.

11 (2) Residents, as defined by 87-2-102, under the age
12 of 15 years may purchase Class A-1, A-3, and A-5 licenses at
13 ~~\$2~~ ^{\$2 - reinvest} ~~\$2~~ per license."

14 Section 22. Section 87-2-903, MCA, is amended to read:

15 "87-2-903. Compensation and duties of agents. (1)
16 License agents, except salaried employees of the department,
17 shall receive for all services rendered the sum of ~~\$5~~ ^{\$5} ~~30~~
18 cents for each license, permit, or certificate issued. On or
19 before the 10th day of each month each license agent shall
20 submit to the department all duplicates of each class of
21 licenses sold during the preceding month and shall accompany
22 the duplicate licenses with all moneys received for the sale
23 of the licenses less a fee of ~~\$5~~ ^{\$5} ~~30~~ cents for each license
24 sold. Each license agent shall keep his license account open
25 at all reasonable hours to inspection by the department, the

1 director, the wardens, or the legislative auditor.

2 (2) For purposes of this section, the term "license"
3 includes any license, permit, and certificate prescribed by
4 the department."

5 Section 23. Section 87-5-204, MCA, is amended to read:

6 "87-5-204. License and rules for falconry. (1) The
7 department may adopt specific rules for the keeping of
8 records and for the trapping, taking, possession, or
9 training of raptors used in the practice of falconry and may
10 authorize the issuance of licenses to persons for the
11 practice of falconry. It is unlawful for any person to
12 possess a raptor or to train a raptor in the practice of
13 falconry without a license.

14 (2) The fee for a falconry license is ~~\$3~~ ^{#3-reinsert} ~~\$25~~ a year or
15 any part of a year. A license expires April 30 each year.

16 (3) A license may not be issued to a person under the
17 age of 12 years.

18 (4) Licensees shall have in possession a valid
19 falconer's license when engaged in the practice of falconry.
20 In addition, falconers loosing raptors at game birds shall
21 have in possession a valid resident or nonresident game bird
22 license.

23 (5) Falconry licenses or permits are not transferable
24 and may be revoked for due cause at any time by the
25 department."

1 Section 24. Repealer. (1) Sections 87-2-703 and
2 87-2-721, MCA, are repealed effective May 1, 1981.

3 (2) Section 87-2-303, MCA, is repealed effective May
4 1, 1982.

5 Section 25. Codification instruction. (1) Section 6 is
6 intended to be codified as an integral part of Title 87,
7 chapter 2, part 3, and the provisions of Title 87 apply to
8 section 6.

9 (2) Section 19 is intended to be codified as an
10 integral part of Title 87, chapter 2, part 1, and the
11 provisions of Title 87 apply to section 19.

12 Section 26. Effective date. This act is effective as
13 follows:

14 (1) Sections 2 and 19 are effective May 1, 1981.

15 (2) Section 24 is effective as provided therein.

16 (3) Section 16 is effective July 1, 1980.

17 (4) Sections 17 and 18 are effective on passage and
18 approval of this act.

19 (5) All other sections are effective May 1, 1982.

-End-

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(1)
NEW SECTION. B-11 and B-12 nonresident big game license.
Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who will be 12 years of age or older prior to September 15 of the season for which the license is issued may upon payment of the proper fee or fees, and subject to the limitations prescribed by law and department rule, purchase one each of the following licenses:

(a) class B-11 nonresident elk license for \$150; and

(b) class B-12 nonresident deer license for \$100.

(2) The licenses ^{fees} in subsection 1 include the nonresident conservation license fees for the license prescribed in 87-2-202.

(3) Not more than 2000 class B-11 elk tags or more than 2000 class B-12 deer tags may be sold in any ~~one~~ ^{one} license year.

(4) The use of either license specified in subsection (1) is not restricted to any one specific authorized hunting area in Montana.

NAME Jack Atchison BILL No. 200 731
ADDRESS 50 N Ottawa DATE _____
WHOM DO YOU REPRESENT _____
SUPPORT ✓ 200 OPPOSE 731 AMEND 200
731
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Support 200 The people need it

Oppose 731

WITNESS STATEMENT

Name Phil Smith Date 2-19-81
 Address Box 126, Melrose, MT Support ? ☒
 Representing Canyon Creek Ranch Oppose ? ☐
 Which Bill ? 731 Amend ? ☐

Comments:

As The Big Hole is a very fragile stream & cannot take the over pressure, we as Guides & I as a member of Mont. Outfitting Assoc on Board of Directors, I feel we must take first step, but also feel if these restrictions take fact that general public can follow in our Footsteps.

Phil Smith
 Melrose, MT

Please leave prepared statement with the committee secretary.

WITNESS STATEMENT

Name Tony Schoonen Date 18 Feb 81
 Address B.x 2, Ramsay Support ? ☒
 Representing T.V. Club Butte Oppose ? ☐
 Which Bill ? 731 Amend ? ☐

Comments:

Guides must be regulated - They will not regulate themselves as past experience has shown.

The Big Hole river as well as other rivers are an important resource that needs protection

Guide pressure on the Big Hole has increased by over 500% and it must be controlled. Not doing anything about it just compounds the problem.

Our club supports this bill

Please leave prepared statement with the committee secretary.

Tony Schoonen
 Butte Chap. Trout Unlimited

NAME John F. Baucus BILL No. 738
ADDRESS Box 167 DATE 2-19-81
WHOM DO YOU REPRESENT myself
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

As I have many losses on my livestock due to predators and in some cases getting poor cooperation from various state and federal agencies, I support this bill to help protect my livestock from this loss

MINUTES OF MEETING
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

March 12, 1981

Chairman Smith called the meeting to order at 1:10 p.m. in the meeting room of the Fish, Wildlife, and Parks building at 1420 East Sixth.

ROLL CALL: All members of the committee were present.

CONSIDERATION OF HOUSE BILL 200, "An act to increase funds available for management of the state's wildlife resources by increasing the fees for hunting, fishing, trapping, and related licenses and permits; removing the seven-year kill limitation on certain animals; and removing the priority status for unsuccessful special elk and antelope license applicants,...."

Chairman Smith recognized Representative Orval Ellison who, at the request of the Department of Fish, Wildlife, and Parks, sponsored House Bill 200. He said when he first presented the bill to the House committee he was labeled as a reluctant sponsor by the press. He said this was not actually true. When he was called to sponsor the bill he told the department that he would be glad to carry the bill because he was sure they needed more money, and that he would support the bill as it came out of his committee. He said he would continue to do this. He stated that the House Committee approached the license fee increase legislation a little differently from previous sessions, in that the committee tried to match amendments to the appropriations bill. He said the committee may not have been entirely accurate in its action since there is a difference between the department and the legislative fiscal analyst in just how much the result of this legislation will be.

Representative Ellison said that the House had considered Senate Bill 320 on March 11, 1981, and overturned the committee's adverse report and placed the bill on second reading. SB 320 would allow persons 62 or older to purchase deer and elk tags at a reduced rate. If the House passes this measure, it will further impact the department's budget.

PROPOSERS OF HOUSE BILL 200. Chairman Smith recognized Jim Flynn, Director of the Department of Fish, Wildlife, and Parks, who spoke in favor of House Bill 200. He said that as it now stands, it will not provide adequate funding to meet accelerating inflation and maintain current fish and wildlife programs. Mr. Flynn presented written testimony, charts and graphs and explained those reports. He presented three amendments to House Bill 200 which have been patterned to the outcome of the House appropriations action. Mr. Flynn proposed amending page 2, line 22, by raising the wildlife conservation license fee from \$2.00 to \$3.00; page 3, line 3, Class A resident fishing license from \$6.00 to \$7.00; and page 6, line 8, Class B-10 nonresident license from \$250.00 to \$275.00. (Attachment #1)

Mr. Glen Childers testified in support of HB 200 with reservations and recommended two amendments. On page 5, line 7, delete "either by drawing system or," and on line 24, delete "\$9.00" and insert "\$15.00" for Class A-5 elk tag. He opposes an increase in the nonresident license fee because he feels there is definitely a move toward a federal hunting license.

Mr. Robert VanDerVere spoke in favor of the bill with reservations. He opposed the drawing fee of \$5.00 and favored increasing the sportsman's license fee from \$35.00 to \$40.00. He proposed two amendments to the bill regarding the preference system for moose, goat, and sheep licenses and/or a statement of intent for consideration by the committee. (Attachment #2)

Mr. R.P. Myers, Jr., spoke in favor of HB 200. His views are presented in Attachment #3.

The following entries are a record of telephone calls which were received in response to Senator Smith's letter to sportsmen's organizations in the state asking for comments regarding HB 200.

Jim Lloyd and Len Walch of Bozeman support Senator Smith 100%. (3/10/81)

Charles Oja, Secretary of the Utica Rod and Gun Club with a membership of about 100, said his organization is in favor of going along with the changes that the House made. He said that if the department really wanted to save money, it should get rid of half their biologists. (3/12/81)

Howard Pippin, Saco Sportsmen's Club with a membership of about 25, said they believe the department's proposal is a little high and the House amendments are a little low. He is a hunter safety instructor and believes valuable programs are going to be lost if the fees are not raised substantially. (3/12/81)

Mr. Joseph Klabunde, retired businessman from Havre, active sportsman and a Fish and Game Commissioner, spoke in support of HB 200 as amended by the department. (Attachment #4)

Mr. Spencer Hegstad, businessman from Dillon and a Fish and Game Commissioner, spoke, not as an advocate of the department, but rather as a layman representing sportsmen and Montana's wildlife resource, in support of HB 200 as amended by the department. (Attachment #5)

Mr. Wilbur Rehmann, Executive Director of the Montana Wildlife Federation, speaking on behalf of 2,000 members and 12 affiliated sportsmen's clubs, favored the original proposal submitted by the department and would also support the amended form. (Attachment #6)

Mr. Gary Witmer of Deer Lodge, a wildlife biologist formerly with the Washington Game Department, spoke in support of the bill.

Mr. A.M. Elwell of Helena, vice president of the Prickley Pear Sportsmen's Association and a hunter safety instructor, spoke in favor of the bill on behalf of the hunter safety instructors.

Mr. Erl Barsness, member of the Billings Rod and Gun Club, and, for five years, has done a radio newsprogram for eastern Montana. As a result of the program he receives feedback on a variety of subjects regarding the department and the use of their programs. Those comments have been favorable to the department and he supports the bill (Attachment 7)

Mr. Kenneth Frazier, attorney from Billings, member of the Billings Rod and Gun Club, and the Beartooth Chapter of Trout Unlimited, and, speaking on behalf of Fish and Game Commissioner Al Bishop, testified in favor of HB 200.

Ms. Jan Bicha, President of the Ravalli County Fish and Wildlife Association, Hamilton, spoke in favor of HB 200. She said that the major concerns of her organization were that the checking stations should remain open, and that access is a major problem. (Attachment #8)

Mr. Hugh Zackheim of Twin Bridges spoke in favor of HB 200. He also voiced his approval of an increase in the trapper's license. He said that presently the department received approximately \$40,000 annually from the sale of trapping licenses, yet spends approximately \$200,000 on servicing Montana trappers--\$100,000 on law enforcement time and mileage and \$100,000 on furbearer management and research. He expressed interest in a \$10.00 trapper's license for kids under 18 which could be incorporated into HB 200. (Attachment #9)

Mr. Fred Carver, President of the Southeastern Sportsman Association, believes the department should have their 1982 budget proposal as originally presented to the legislature. (Attachment #10)

Ms. Jennifer Cote, Secretary of the Western Montana Fish and Game Association, presented written testimony and voiced her organization's approval of the original proposal. (Attachment #11)

Mr. Roger Krockeberg, a sportsman from Deer Lodge, spoke in support of the original proposal.

Mr. Michael Chandler, representing the Western Montana Fish and Game Association, spoke in favor of the original bill. (Attachment #12). He said his organization also approves of a higher license fee for an elk tag.

Ms. Gail Bissell, representing the Montana Audubon Council with over 2,000 members in eight chapters in the state, favors the original proposal. (Attachment #13)

Mr. Michael Larkin, a student of wildlife biology at the University of Montana and chairman of the Legislation Committee of the Wildlife Club, presented testimony and spoke in favor of the original proposal. (Attachment #14)

Mr. Dick Schirk, representing the Butte Chapter of Trout Unlimited, presented written testimony and spoke in favor of the department's original proposal. He said they would also support it in its amended form. He stated that the programs of the department in regard to fisheries management are highly effective and should be supported to the fullest extent. (Attachment #15)

Mr. Bill McRae of Fairfield, a free-lance outdoor life writer and wildlife photographer, spoke in support of the bill as originally proposed, and also as amended. (Attachment #16)

Mr. Harold Burns, member of the Laurel Rod and Gun Club, said they totally support the bill as proposed originally, or as amended.

Mr. H. R. Miller of Hysham, a former rancher and member of the Southeastern Sportsmen's Association, spoke in favor of the proposal and commended the department for the good job it has done.

The following proponents telephoned their testimony to the secretary of the Senate Fish and Game Committee to be included in the record of the meeting:

Wes Plann of the Lower Yellowstone Outdoors Association, Glendive, with 150 members, said they favor the proposed license structure in its original form except they would like to see out-of-state hunters limited to 10,000 and the trapper's license stay at \$10.00. (3/10/81)

Roland Robertson, Secretary/Treasurer of Red Lodge Rod and Gun Club, said they favor the proposed license structure in its original form. In addition, an amendment should be proposed that to finance present enforcement levels, a goodly percent of the increased fees should be earmarked for enforcement only. (3/10/81)

John Spencer, 306 Mill Street, Sheridan, favors the increase as proposed by the department. He believes Montana is way behind other states in fees charged. He also believes the 6-day nonresident fishing license should remain in effect--he said it is a vital income source. (3/12/81)

Dr. Hetland of Billings favors the original version of HB 200. (3/17/81)

OPPONENTS OF HOUSE BILL 200. There were no opponents to House Bill 200 in attendance at the meeting held today. A letter, however, was received in response to Senator Smith's communication to sportsmen's organizations across the state asking for comments regarding the proposed legislation.

Mr. Ken Jones, an insurance sales representative of Bozeman, opposes a license fee increase for the department. His letter sent in response to Senator Smith's communication is attached. (Attachment #17)

The remaining time was spent in a question and answer period.

Senator Smith announced that he had mailed out approximately 125 letters to sportsmen's organizations across the state asking for their input and comments on House Bill 200. He distributed copies of that correspondence to those interested (Attachment #18). Those comments have been incorporated into these minutes where appropriate.

The hearing was adjourned at approximately 2:45 p.m.

Ed B Smith

Senator Ed B. Smith

FISH AND GAME COMMITTEE

Date 3/12/81

Each day attach to minutes.

PRESENTED BY JIM FLYNN
DEPARTMENT OF FISH, WILDLIFE AND PARKS
TESTIMONY HB 200

As Montana keeps growing, the department's charge to provide quality hunting and fishing for the state's citizens and visitors becomes increasingly more difficult and expensive because:

We have more people each year. Many of them wish to fish and/or hunt. By the 1990's, the number of resident hunters could exceed current totals of both resident and nonresident hunters.

Supplies of fish and wildlife are limited - and their habitat is decreasing. - Increasing national and state demands for energy, food, fiber, living space, and defense are accelerating the loss of habitat.

Public access to private and public lands is declining. Private lands provide important habitat for wildlife and contribute over 50% of the current deer and antelope harvest. We have a growing challenge to properly manage wildlife within the constraints and needs of private land owners.

Inflation and the increasing costs for travel and equipment -

Our duties require a high degree of travel - by various types of vehicles, airplanes and boats. This travel is essential for:

- enforcement of fish and game laws
- wildlife and aquatic surveys and studies
- contacts with landowners and land agencies
- monitoring of hunters and fisherman

The hunting and fishing license fee proposal was developed this past year along with a process of "cutting fat" and improving fiscal management in this department. This license fee increase proposal is designed to meet accelerating inflation⁽¹⁾ and maintain our current basic fish and wildlife programs. OUR LICENSE INCREASE PROPOSAL IS NOT

(1) See Chart 5 - Regarding inflationary affects on license money buying power

A REQUEST FOR ADDITIONAL EMPLOYEES AND EXPANDED PROGRAMS.

HB 200, AS IT NOW STANDS, WILL NOT PROVIDE ADEQUATE FUNDING -
The original proposal has been decreased by approximately **42** percent!

Now, let us look at the Projected Revenues, Expenditures and
Cash Balances for our Hunting and Fishing License Account (FY 82 and 83).

CHART 1
PROJECTED CASH FLOW FOR LICENSE REVENUES
ASSUMES FULL FEE INCREASES REQUESTED BY THE DEPARTMENT

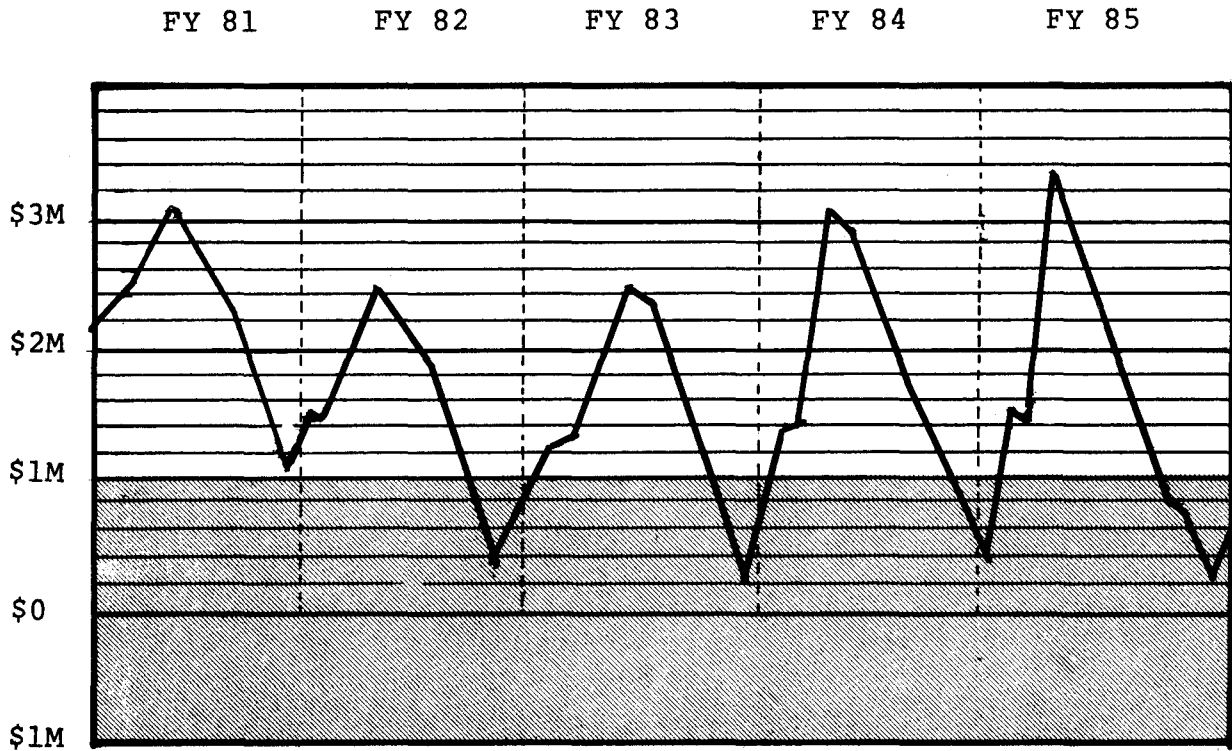


CHART 2
WHERE THE MONEY COMES FROM
(FY 1980) JULY 1, 1979 THROUGH June 30, 1980

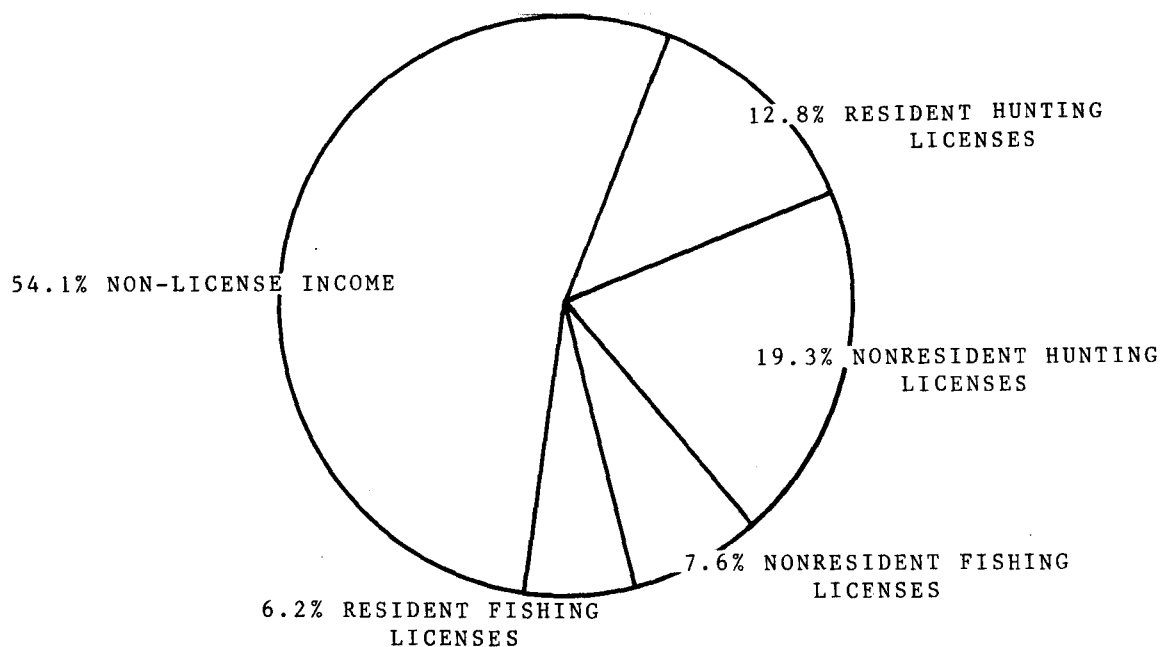
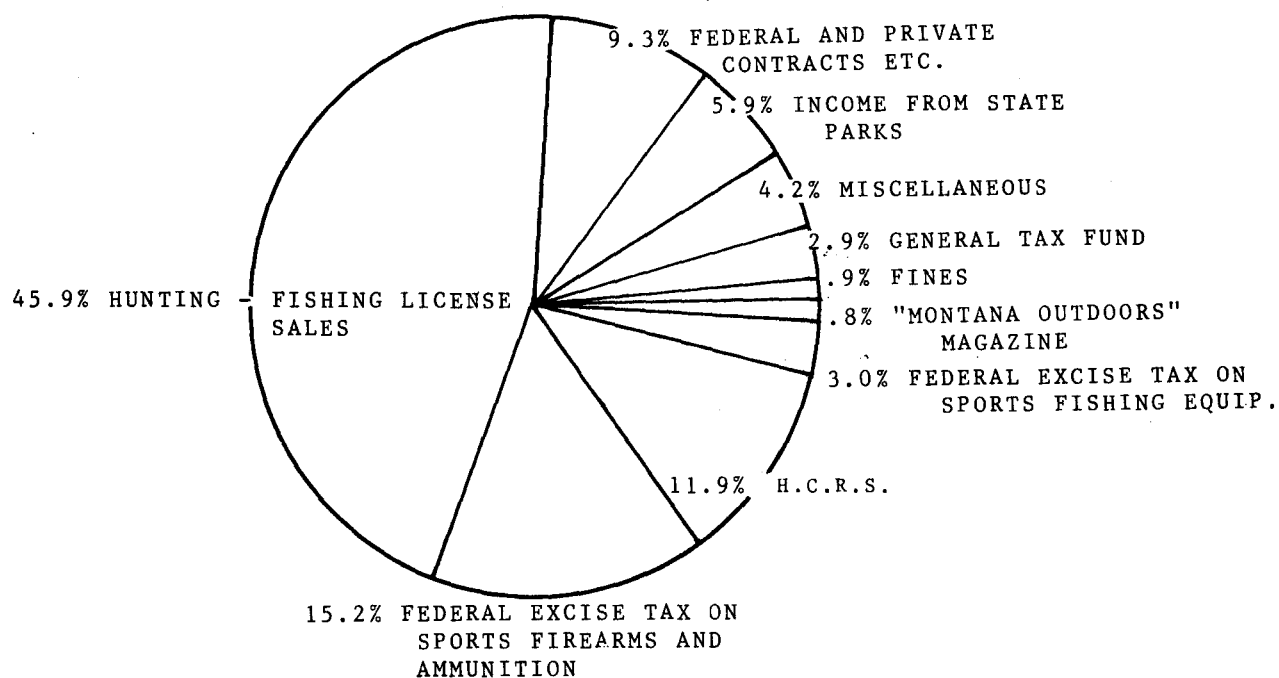


CHART 3

DEPARTMENT REQUEST RESTORING 4.00 FTE'S

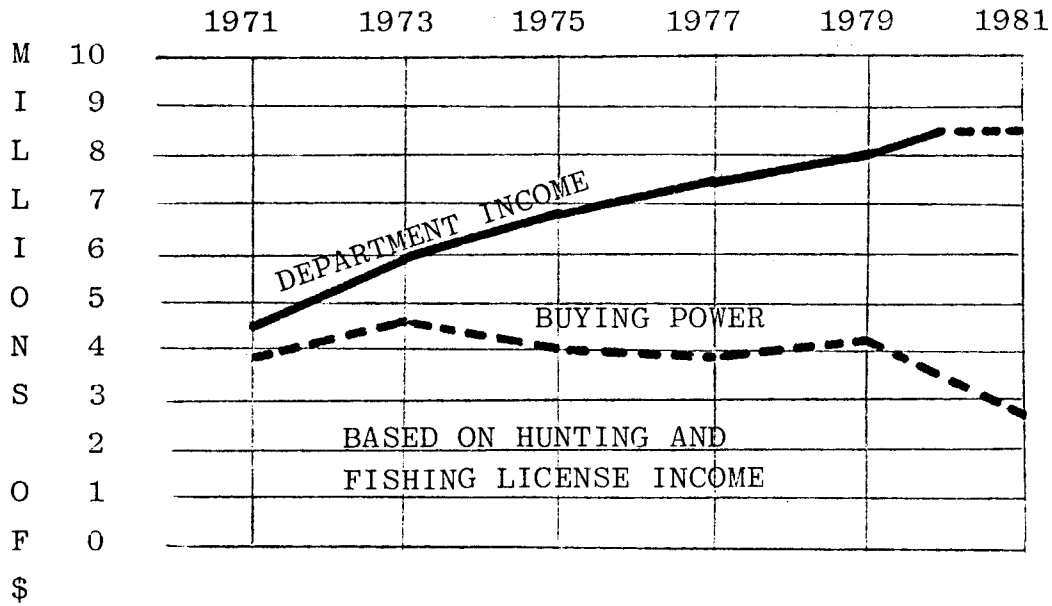
	<u>FTE</u>	<u>TOTAL SALARY AND BENEFITS</u>	<u>YEARS OF SERVICE</u>
<u>CENTRALIZED SERVICES</u>			
Project Manager I (Grade 13, Step 9)	1.00	\$ 21,425	9 years
<u>CONSERVATION EDUCATION</u>			
Circulation Officer I Grade 10, Step 3)	1.00	14,819	3 years
<u>ADMINISTRATION</u>			
Secretary II (Grade 9, Step 1)	1.00	12,796	1 year
Secretary II (Grade 8, Step 2)	<u>1.00</u>	<u>12,446</u>	<u>1 year</u>
TOTALS	4.00	\$61,486	

CHART 4
G A S O L I N E C O S T S

	<u>Miles</u>	<u>Gallons</u>	<u>Cost</u>	<u>Cost per Gallon</u>
Fiscal Year 1976	3,857,281	372,975	\$196,211	\$.52
Fiscal Year 1977	4,173,033	385,751	\$219,234	\$.56
Fiscal Year 1978	3,741,688	343,977	\$202,400	\$.58
Fiscal Year 1979	4,455,569	397,955	\$254,765	\$.64
Fiscal Year 1980	3,283,291	276,544	\$270,442	\$.98
Fiscal Year 1981		276,000	\$345,000	\$1.25
Fiscal Year 1982		276,000	\$507,840	\$1.84
Fiscal Year 1983		276,000	\$623,760	\$2.26

**Fiscal year 1981, 1982, and 1983 figures are estimated

CHART 5
EROSION OF BUYING POWER



DOLLAR VALUE BASED ON 1=1 IN 1967

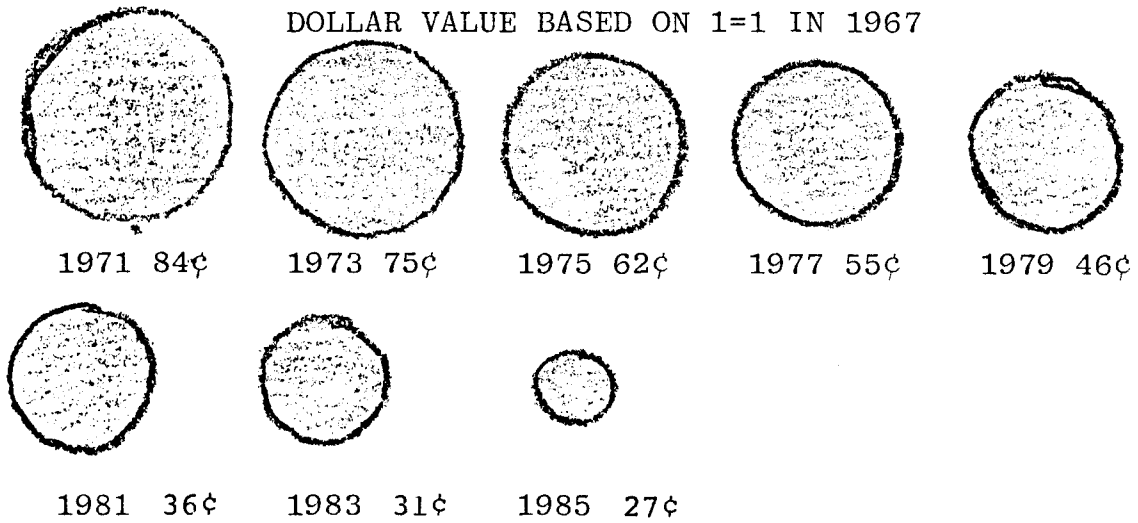


CHART 6
HUNTING AND FISHING LICENSE FEE INCREASES
GRANTED BY THE HOUSE & REQUESTED FROM THE SENATE

<u>LICENSE</u>	<u>PRESENT FEE</u>	<u>GRANTED BY THE HOUSE</u>	<u>RECOMMENDED BY THE DEPARTMENT</u>
Resident Conservation	1.00	2.00	3.00 (1982)
Nonresident Conservation	1.00	2.00	3.00 (1982)
Resident Fish	5.00	6.00	7.00 (1983)
Nonresident Big Game	225.00	250.00	275.00 (1983)
Dealer Fee	15¢	30¢	No further change
Drawing Fee	1.00 (deer & elk)	5.00	No further change
Paddlefish	New	3.00	No further change
Turkey	2.00	3.00	No further change
Duplicate	3.00 (max)	5.00 (max)	No further change
Resident Deer	7.00	8.00	No further change
Resident Elk	8.00	9.00	No further change
Resident Bear	6.00	8.00	No further change
Nonresident 2-day Fishing	2.00	4.00	No further change
Nonresident Season Fish	20.00	30.00	No further change
Nonresident Bird	30.00	40.00	No further change
Nonresident Moose	150.00	175.00	No further change
Nonresident Sheep	150.00	175.00	No further change
Nonresident Goat	150.00	175.00	No further change
Nonresident Grizzly	150.00	175.00	No further change

NOTE: SEE SUPPLEMENTAL CHARTS FOR:

-----Last Year that License Fees were Increased - (Chart 8)

-----Comparison of License Fees in 12 Western States - (Chart 9)

Chart 7

Hunting and Fishing License Fee Increase
Granted by the House & Requested from the Senate

<u>License</u>	<u>Quantity Sold^(a) Last Year</u>	<u>Present Fee</u>	<u>Granted by the House</u>	<u>Annual Revenue Year 1</u>
Resident Conservation	265,000 ^(e)	\$ 1.00	\$ 2.00	\$265,000
Nonres. Conservation	97,795	1.00	2.00	97,795
Resident Fishing	172,654 ^(f)	5.00	6.00	
Nonres. Big Game ^(c)	17,000 ^(g)	225.00	250.00	
New Drawing Fee	72,519 ^(b)	-0-	5.00	365,595
Dealer Fee	843,649 ^(b)	.15	.30	
Drawing Fee ^(c) (deer, elk)	53,312 ^(d)	1.00		(53,312)
Paddlefish	4,000	-0-	3.00	
Turkey	3,900	2.00	3.00	
Duplicate	2,293	3.00	5.00	
Resident Deer	119,260	7.00	8.00	
Resident Elk	80,108	8.00	9.00	
Resident Bear	9,694	6.00	8.00	
Nonres. 2-day Fishing	127,469	2.00	4.00	
Nonres. Season Fishing	14,396	20.00	30.00	
Nonres. Bird	2,480	30.00	40.00	
Nonres. Moose	12	150.00	175.00	
Nonres. Sheep	176	150.00	175.00	
Nonres. Goat	22	150.00	175.00	
Nonres. Grizzly	112	150.00	175.00	
Nongame Certificate	120	5.00	eliminate	(600)
				<u>671,478</u>

SUMMARY: Granted by the House
 Additional FY82 Revenue = \$671,478
 Additional FY83 Revenue = \$671,478
 992,108
 \$1,663,586

Recommended by FWP
 Additional FY82 Revenue = \$362,795
 Additional FY83 Revenue = \$362,795
 597,654
 \$960,449

(a) May 1,
 (b) Number
 (c) New li
 (d) It is
 paddle
 reside
 (e) 265,00
 (f) Limite
 (g) Approx
 (h) This i
 nonres

CHART 8
LAST YEAR LICENSE FEE WAS INCREASED

<u>LICENSE</u>	<u>YEAR</u>
Resident Wildlife Conservation License	1976
Resident Fishing	1974
Nonresident Wildlife Conservation License	1976
Nonresident 6-Day Fishing	1974
Nonresident Season Fishing	1974
Nonresident 1-Day Fishing	1974
Paddlefish	New License
Resident Bird	1976
Nonresident Bird	1976
Turkey	1959
Duplicate	1979
Resident Deer	1976
Resident Elk	1976
Youth Bird	1976
Youth Elk	1976
Youth Deer	1976
Sportsman License	1976
Nonresident Big Game	1976 (\$225), 1968 (\$150), 1948 (\$100)
Nongame	1976
Resident Antelope	1976
Resident Moose	1966
Resident Sheep	1966
Resident Mountain Goat	1966
Nonresident Moose	1980
Nonresident Sheep	1980
Nonresident Mountain Goat	1980
Resident Bear	1976
Resident Grizzly	1976
Nonresident Grizzly	1980
Resident Mountain Lion	1972
Nonresident Mountain Lion	1980
Trappers	1946
Falconers	1971
Drawing Fee	New

CHART 9

COMPARISON OF SELECTED MONTANA HUNTING AND FISHING LICENSE FEESWITH THE AVERAGE FEES FOR 12 WESTERN STATES

<u>LICENSE</u>	<u>MONTANA'S PRESENT FEE</u>	<u>MONTANA'S FEE PROPOSED BY DEPARTMENT</u>	<u>AVERAGE FEE WESTERN STATES</u>	<u>NO. STATES</u>
Resident Fish	5.00	7.00 (1983)	8.46	12
Nonresident Big Game	225.00	275.00 (1983)	335.50	6
Dealer Fee	.15	.30*	.40	10
Drawing Fee	1.00	5.00*	6.25	4
Resident Deer	7.00	8.00*	8.10	11
Resident Elk	8.00	9.00*	19.50	10
Resident Bear	6.00	8.00*	7.00	8
Nonresident Two-Day Fishing	2.00	4.00*	5.03	9
Nonresident Season Fishing	20.00	30.00*	23.69	12
Nonresident Bird	30.00	40.00*	20.72	11
Nonresident Moose	150.00	175.00*	500.00	3
Nonresident Sheep	150.00	175.00*	326.55	9
Nonresident Goat	150.00	175.00*	151.80	5

8granted by the House

AMENDMENTS TO HB 200

1. Page 2, line 22:

Following: "\$3"

Strike: "\$2"

Insert: "\$3"

2. Page 3, line 3:

Following: "~~\$10~~"

Strike: "\$6"

Insert: "\$7"

3. Page 6, line 8:

Following: "~~\$325~~"

Strike: "\$250"

Insert: "\$275"

END

Attachment #1b

HUNTING & FISHING LICENSE ACCOUNT
PROJECTED REVENUES, EXPENDITURES, & CASH BALANCES
FISCAL YEARS 1982 AND 1983

I. Minimum Cash Balance - (See Chart 1)

FY82

FY83

The Department receives most fishing license money in the summer and most hunting license money in the fall. It receives very little money in the winter. Because hunting and fishing license monies are used to pay for federal work before reimbursement is received, a minimum cash balance of \$1,000,000 must be kept throughout the year, not just at the end of the fiscal year.

\$1,000,000

\$1,000,000

II. Revenues - (See Chart 2)

FY82

FY83

It should be noted that the Department's revenue estimates differ with those of the Legislative Fiscal Analyst by \$971,872. These differences relate primarily to overestimation of numbers of licenses sold in FY82 and FY83 by the LFA and overestimation of revenues generated by the House-approved version of HB200 by the LFA.

Department of Fish, Wildlife, and Parks Estimates
HB200, as Approved by the House (Charts 6 & 7)
Additional Amounts Requested from the Senate
(Charts 6 & 7)

\$8,200,000

\$8,400,000

671,478

1,663,956

362,795

960,449

\$9,234,273

\$11,024,405

III. Expenditures Approved by the Joint Appropriations Subcommittee at This TimeDivision

FY82

FY83

Centralized Services

\$1,668,256

\$1,589,473

Ecological Services

347,426

361,291

Fisheries

1,338,826

1,255,376

Enforcement

2,533,260

2,564,613

Wildlife

917,206

923,612

Parks

358,319

386,984

Conservation-Education

742,024

761,968

Administration

459,048

462,879

\$8,364,365

\$8,306,196

IV. Department Request to Restore 4.00 FTE's - (See Chart 3)Division

FY82

FY83

Centralized Services (1.00)

\$ 21,425

\$ 21,425

Conservation-Education (1.00)

14,819

14,819

Administration (2.00)

25,242

25,242

\$ 61,486

\$ 61,486

V. Expected Gasoline Price Increases (In Addition to Executive Budget Request)
(See Chart 4)

FY82

FY83

A. 276,544 gallons used in fiscal year 1980

B. Expected Price in Fiscal Year 1982 is \$1.65 per gallon
Budgeted Price in Fiscal Year 1982 is \$1.16 per gallon

276,544 gallons x \$1.65 = \$456,298

276,544 gallons x \$1.16 = (320,791)

Additional Amount Needed, FY82 \$135,507

\$ 135,507

Expected Price in Fiscal Year 1983 is \$1.85 per gallon

Budgeted Price in Fiscal Year 1983 is \$1.39 per gallon

276,544 gallons x \$1.85 = \$511,606

276,544 gallons x \$1.39 = (384,396)

Additional Amount Needed, FY83 \$127,210

\$ 127,210

VI. Salary Increases for Employees

FY82

FY83

The expenditures currently approved by the joint appropriations subcommittee do not include any salary increases for employees. Presently, there are tentative agreements with labor bargaining units in other agencies at 12%. A 12% rate is assumed for fiscal year 1982 and fiscal year 1983 salary increases. The 12% was applied to total personal services approved by the joint appropriations subcommittee plus the additional 4.00 FTE's requested by the Department. Then, 60% of this amount (the license account portion) was calculated.

\$ 718,076

\$1,526,763

VII. Fiscal Impact - Current Legislation

FY82

FY83

SB320 - Loss of Revenue from Half-Price Senior Citizens Deer and Elk Licenses

\$ 110,000

\$ 110,000

VIII. Capital Projects Authorized by Previous Legislatures

FY82

FY83

These are projects appropriated by previous Legislatures. With the exception of the Missoula Headquarters and the Lake & Stream Improvement appropriations, they are active projects. HB200 is needed to offset the drain on account 02131 resulting from the completion of these projects.

<u>Project Description</u>	<u>Amount</u>
Canyon Ferry - Develop hunter access at upper end of reservoir	\$ 4,750
Lake & Stream Imprv. - Improve fish habitat where deteriorated or in jeopardy-original appropriation \$50,000 from 02131-72% complete	\$ 13,880
Acquire Wildlife Habitat Statewide	\$ 91,287
Remainders of two separate appropriations originally totalling \$750,000-88% complete	
Develop Fishing Access Sites for Public Use-remainders of three separate appropriations originally totalling \$1,135,000 from 02131 85% complete	\$ 172,988
Develop land for wildlife benefit Statewide	\$ 12,300
Replace inadequate regional headquarters at Missoula-original appropriation \$600,000 from 02131-\$39,030 spent for design	\$ 560,970
	\$ 856,175

\$ 856,175

IX. Summary of Expenses for the Biennium

FY82

FY83

Approved by the Joint Subcommittee	\$8,364,365	\$8,306,196
Department Request to Restore 4.00 FTE's	61,486	61,486
Expected Gas Price Increases Above Executive Request	135,507	127,210
Salary Increases for Employees at 12%	718,076	1,526,763
Fiscal Impact - Current Legislation	110,000	110,000
Capital Projects Authorized by Previous Legislatures	- 0 -	856,175
	<u>\$9,389,434</u>	<u>\$10,987,830</u>

X. Projected Cash Flow for License Revenue Account

Assumes Full Fee Increases Requested by the Department

FY82

FY83

Beginning Balance	\$1,100,000	\$ 944,839
Revenues	9,234,273	11,024,405
Subtotal	<u>\$10,334,273</u>	<u>\$11,969,244</u>
xpenditures Approved by Joint Subcommittee	(8,364,365)	(8,306,196)
Subtotal	<u>\$1,969,908</u>	<u>\$3,663,048</u>
request to Restore 4.00 FTE's	(61,486)	(61,486)
Subtotal	<u>\$1,908,422</u>	<u>\$3,601,562</u>
xpected Gas Price Increases Above Executive Request	(135,507)	(127,210)
Subtotal	<u>\$1,772,915</u>	<u>\$3,474,352</u>
alary Increases for Employees	(718,076)	(1,526,763)
Subtotal	<u>\$1,054,839</u>	<u>\$1,947,589</u>
iscal Impact - Current Legislation	(110,000)	(110,000)
Subtotal	<u>\$ 944,839</u>	<u>\$1,837,589</u>
apital Projects Authorized by Previous Legislatures	- 0 -	(856,175)
Ending Balance	<u>\$ 944,839</u>	<u>\$ 981,414</u>

AMENDMENTS TO HB 200

1. Title, line 12.

Following: "APPLICANTS"

Insert: "AND TO ELIMINATE THE PREFERENCE SYSTEM FOR ~~RESIDENT LICENSE~~
~~APPLICANTS, GOAT LICENSE APPLICANTS, AND SHEEP LICENSE APPLICANTS~~"

2. Page 9, line 14.

Following: line 13

Insert: "(3) The department may not establish a preference system for drawings for moose, goat, or sheep licenses. Each applicant for a resident license must have the same chance of obtaining the license as any other applicant for the resident license. Each applicant for a nonresident license must have the same chance of obtaining the license as any other applicant for the nonresident license. Subclasses of applicants based on the results of prior drawings may not be established by the department."

Renumber: subsequent subsections

Either Statement of Intent or a clear entry into the minutes should be made:

"It is the express intent of the legislature that the Department of Fish, Wildlife, and Parks may not establish a preference system in the administration of the drawings for moose, sheep, or goat licenses. The existing preference system established by the Department by rule and practice is to be terminated upon the effective date of HB 200. It is the intent of the legislature that each applicant for a resident license have the same probability of success as any other applicant for the resident license and that each applicant for a nonresident license have the same probability of success as any other applicant for the nonresident license."

#2

NAME: Robert Jan Lange DATE: _____

ADDRESS: P 300 Wilkes

PHONE: 442-3252

REPRESENTING WHOM? 1. LIA

APPEARING ON WHICH PROPOSAL: 200

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS:

Page 1

March 12, 1981

Attachment #.

Mr Chairman & Committee Members.

I ~~Thank~~ you for the opportunity to speak on HB 200. I believe that the Department of Fish & Game & Parks needs to be run in a business like manner. There is some specific area that I believe that needs to be changed. They are as follows.

I. The Department is over staffed in administration both in Helena & the District offices; as an example to set a season in a area there are at least 5 people that a season has to go through. I don't believe that there should be a grade difference between Biologist and Warden when they start to work.

II. When a special season is set there should be a lot of thought given on how much it cost to the benefit. It give the resource. Example the late season in the Gallatin or any late season the Gallatin season. I have been told cost between 50,000 & 60,000 dollars. The Kill was less than 300 elk. That makes the cost per Elk checked out about 150 dollar per head. I don't think

The Season this year killed very few Park elk that the Season was designed to take so the native herd stud the pressure game thing happened at Gardner. The Season should have been shut down. When the results was so poor to protect the native herds and save considerable expense

III The Map is another high cost. three pages that is hard to read & understand even for a Outfitter let alone a non-resident or a lawyer. The Maps cost over \$240.00 to print let alone what it cost to draw. I would like to know how many man-hours it takes to keep it up to date.

IV In My District I see a quarter of a million Dollar of Construction Machinery setting at the Department head quarters in Bozeman. The Cost of operating this machinery and the Depreciation on the equipment and to hire a operator part time is not very feasible. The Equipment consist of one John Deere Motor grader one Backhoe loader and a skidder.

and one heavy equipt trailer. I believe that this could be put out on contract to the private company and make a big saving.

V the Drawing is another place that need attention there is a 1st 2nd & 3rd choice on the applications. I have put in for all three choices and get my money returned only to read in the paper that there are antelope license available from the District office for the same area that I had applied for not only myself but my clients and friend also. This year the Fish and Game are proposing to sell the successful applicant that they can buy a Doc or fawn permit also. I believe that there are enough people that would like to go antelope hunting that it is unfair to do ~~it~~ it this way.

VI I believe that the House has sent a reasonable raise in the house structure for the coming two years and that should give the new District a chance to make some change and

can Bee Ran on a economical budget and still protect the resource and make better hunting and fishing in our State.

I see some other areas that I don't see the need of spending fish and game money on. they are ~~at~~ the meeting in West Yellowstone. Most of all Fish and Game commissioners ~~that~~ the big meeting of the Western States at Kalispel Mont last year. I think if Fish & Game personnel wants to go they should be the same as any one else. that they pay their own way. not have Per Diem and expenses. or in other word a free ride. to a Convention

these are just a few of the things I see that could be cut and save a lot of money.

~~II~~ I also believe that we need more money spent on enforcement and much less on Biology. The Warden has to go in to the field to straighten out the B. & G. I said in that the B. & G.

Page IV

and other personnel have made with the ranchers. they also use their money to buy gas & time to patrol the fishing areas right to cut problems there. When they should be on game violations not keeping the peace. Please see that enforcement get more money. they need it badly.

the I & E Department of the fish & Game should be cut back. I don't think we need a I & E man in every District as we have now, a ~~staff~~ I & E Dept met in the Helena office is enough. I think that money should be used for enforcement.

Sincerely R.F. Myers
5480 Soudough Rd
Bozeman, Mont

NAME: R. P. Myer DATE: March 12 1981

ADDRESS: 5480 Soundough Rd

PHONE: 587 8513

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: 200

DO YOU: SUPPORT? As AMENDED X OPPOSE?

COMMENTS: Please Stay with the house
version Bill. I think that my letter
will bear this out.

PRESENTED BY: JOSEPH J. KLABUNDE
TESTIMONY ON HB 200

I am now a retired businessman from Havre. My background includes managing a cattle ranch in the Bear Paw Mountains. I have always been, and will continue to be (the Lord willing) an active sportsman.

I have served on the Montana Fish and Game Commission since 1967 - under four Governors, from both parties, and under five department directors.

As I see it, we have the following major problems to face if we are to maintain our fishing and hunting. All of these concern the license income.

1. Importance of working with private landowners - in managing fish and game.

Private lands control extensive amounts of habitat and some of the finest hunting and fishing.

I have always been personally concerned - on all sides of this issue. I have attended hundreds of meetings with agriculture groups (stockgrowers, wool growers, Farm Bureau, etc.) all over the state. I have visited many individual ranchers - and many have come to visit with me about fish and game matters. I have also attended hundreds of sportsmen meetings and exchanged ideas with thousands of individual sportsmen. And I have sat in judgment at dozens of Fish and Game Commission meetings hearing points of view from both landowners and sportsmen. Continuing a sportsman-landowner council and toll-free hot line are important.

I served for three years on the special citizen advisory council to the department and commission which also included eight ranchers. The council did a lot of good with their recommendations, like the one for a toll free "hot line" to report violations and landowner problems, and the ex-officio program which added over 100 biologists and other field

personnel who could actually enforce fish and game laws. These things are all worthwhile projects, and along with the council (which ended last December), should be continued.

The "bottom-line" here is that - we provide adequate funding so that Department field personnel can respond to fish and game problems on private land and work out adequate solutions.

2. I have always supported having a sound factual basis for fish and wildlife management decisions.

History has documented this on such well-publicized issues as managing the Sun River and Northern Yellowstone elk herds.

But we also have to maintain adequate fish and wildlife surveys throughout the state - to maintain annual seasons that are appropriate to the resources, fair to the sportsmen and considerate of the landowners.

3. I feel the resident license buyers have always had a "bargain" including the future proposals. If anything, most of our resident licenses have traditionally been too low.

I think we should be cautious about meeting inflating costs by increasing nonresident fees. We have been to court on this once - we must maintain some reasonable balance, or ratio, between resident and non-resident costs. The one thing we don't need is a Federal system of hunting and fishing licenses for Montana's fish and game.

4. Fishing access sites, game bird and waterfowl areas and acquisitions of key big game winter ranges have been good investments for Montana in the past. They are important in protecting habitat and in providing the public better access and a place to go hunting and fishing. I urge that we maintain an emphasis on these needs because the public supports and demands such services.

5. Regarding department facilities, six of the seven regional headquarters are primarily 1940 quonset-type metal structures. These are poorly equipped to cope with the inflating costs of utilities and maintenance (Montana Power Company announced this week that utility rates will triple by 1990!)

Several of these headquarters locations are no longer convenient or effective to serve the public because of urban growth limiting their access and space.

6. The department budget approved by the Commission last fall was a "bare bones" budget. The Commission considers and approves the budget, but after that is done, we do not see anything else with the exception of budget amendments. If additional cuts are made during this session, the sportsmen will suffer because such cuts will, in fact, affect the programs and services now provided by the department.

7. Some promises on various issues were made in past sessions by the department and Commission - promises which were not fulfilled. As a member of the Commission, and Chairman for the last few years, I have been involved in these issues which I tried to get resolved. All I can say is that you now have a new Director and a new Commission. Please do not saddle them with too little money to do the job because the public and sportsmen will be the ones to suffer.

8. The department has done a good job. They have many dedicated people who donate far more hours than their jobs call for to the department, the sportsmen and the resource.

There has been internal department friction in the past, but much of this has calmed down in the last few years because, for example, the ex-officio enforcement program resulted in a closer working relationship between the biologists and wardens.

Page 4

I urge you to support HB 200 as recommended by the Department. I believe your decision on this is important to all Montanans.

Thank you for this opportunity to speak.

NAME: Joseph J. Klebansky DATE: 3-12-81

ADDRESS: Boyle House Apt

PHONE: 265 4646 - 2m 586 8816

REPRESENTING WHOM? Self & NY State Commission

APPEARING ON WHICH PROPOSAL: H.B. 200

DO YOU: SUPPORT? _____ AMEND? ☒ OPPOSE? _____

COMMENTS: Please see written comments

TESTIMONY FOR SPENCER HEGSTAD - MARCH 12, 1981

SENATE FISH AND GAME COMMITTEE - HB 200

My name is Spencer Hegstad and I'm a businessman from Dillon. I have served as a member of the Montana Fish and Game Commission for six years, but I do not consider myself as an advocate for the Montana Department of Fish, Wildlife and Parks. Rather I am a layman who represents the sportsmen and Montana's wildlife resource, both of which are very important assets to this state.

The constituents for this bill, HB 200, are the Montana residents who purchase the 170,000 or so fishing licenses and the 140,000 or so hunting licenses. These people and their non-resident guests fund this state's fish and wildlife program for everyone. By every measureable indication, the great majority of this group is willing to pay a higher fee to monitor, research, administer, protect and explain our fish and wildlife resources.

The department and Montana's wildlife resource must have adequate funding, but the House version of HB 200 does not provide the funding which is necessary to maintain and finance department programs which directly benefit sportsmen and wildlife.

According to the recently released, independent and statistically sound University of Montana Outdoor Recreation Survey (page 105), about 82% of the respondents felt our wildlife agency was doing a "good" to "excellent" job. Less than 2% thought the Department of Fish, Wildlife and Parks' performance was "poor".

According to the same survey (page 59), 72% of our residents who fished in Montana said they would favor increased fees to fund the rising cost of our fishery program. Almost half (49.4%) favored increasing the fees to fully fund the fishery program. Such fees would be

considerably higher than what the Department originally proposed. Montana's fishing program currently costs about a million dollars more than the fishing fees bring in.

The same survey (page 73) indicated that 68.8% of those questioned thought that raising the hunting fees was the way to fund the rising costs of our wildlife program.

Most of the sportsmen's clubs have voted to endorse the Department's proposal as originally presented, and this sentiment has been confirmed by the Montana Wildlife Federation.

Montana now has the lowest elk license in the nation and the cheapest fishing license in the west. It is a fact that Montana has one of the best wildlife oriented recreation situations in the country, yet one-third of the states have a better wildlife agency budget. In almost every case, our originally recommended fees are under the average fee for the twelve western states, and our non-resident package is the best bargain in the country.

In terms of real dollars or "buying power" many of the proposed fees are less than those charged during the 1960s and the 1970s.

With inflation in mind, it is amazing that the trappers license hasn't been increased since 1946, the turkey tag since 1959, resident moose, sheep, and goat since 1966, resident mountain lion since 1972, and resident and non-resident fishing licenses since 1974. Also, it has been five years since most of the other license fees were adjusted.

The Department of Fish, Wildlife and Parks waited too long in asking for this increase. The mistake cost the agency most of its reserve. Four states, North Dakota, Ohio, Pennsylvania and Wyoming, maintain a year's operating reserve. Montana's reserve at the end of its fiscal year is now the lowest it has been in twenty years, almost zero.

Essential repairs to fish hatcheries and regional facilities have been deferred. The purchase of necessary office and field equipment has been put off. Warden enforcement and aerial monitoring has been restricted. Our programs to develop, protect, and purchase valuable wildlife habitat for future generations are now in jeopardy.

Since the last legislature, the Department of Fish, Wildlife and Parks can document a cutback in the number of employees, travel, summer help, operations budgets, capital expenditures, flying, rentals and contracted services.

The Department will need to adjust even more, but if our wildlife agency is to maintain its national reputation, its quality of service, and its current programs, it must have funds to offset the impacts of inflation. The license increase is not a request for more employees or more programs. The agency is not trying to expand. We are in a "no growth" situation right now.

Assuming that the Department of Fish, Wildlife and Parks will continue to adjust responsibly, your committee has three options:

1. Raise the license fees.
2. Reduce the State's fish and wildlife program
3. Seek alternative sources of funding

HB 200 is not a long-term solution to Montana wildlife funding problems. Michigan and Iowa studies have recommended linking the license fees to a consumer price index. California, in 1978, adopted this idea and their license fees are now adjusted annually by a factor which reflects changes in an inflationary index.

More legislatures are beginning to explore wildlife funding outside of the traditional license fee. Eighteen states now direct the interest that the sportsmen's dollar earns in the state treasury to the state's wildlife program. Nineteen states put some general fund monies into the wildlife program based on the argument that a healthy wildlife situation benefits the state's entire economy and serves the whole population. Six states now have a tax return check-off system so non-hunters and non-fishermen can contribute to the support of wildlife protection and management, and non-game programs. The state of Washington directs revenues from the sale of personalized license plates to their wildlife program. Several states direct a marine fuel tax to wildlife. Louisiana wildlife programs get some oil and gas royalties and severance taxes on fur, gravel, shrimp, oysters and clam shells. In Indiana a one cent cigarette tax produced almost \$1 million for the Division of Fish and Wildlife. In California \$750,000 a year from parimutuel betting goes into a Wildlife Restoration Fund, and Missouri generates about \$30 million a year for their conservation program by adding 1/8 cent to the state's sales tax.

In short, if wildlife is important, we have to find a way to fund its protection and management.

We all admit the department has made mistakes in the past and the Commission must share in the blame for those mistakes because we have definitely been involved in past decisions. But, it is a new day - we have a new Governor, new Director and a new Commission and we face new problems. Please do not penalize the new Director and Commission on the basis of what has happened in the past.

As a member of the Commission and a layman responsible and available

Page 5

to the public, I know a majority of sportsmen favor the license fee increases. The people who use the wildlife resource want to pay more.

NAME: SPENCER HEGSTAD DATE: 3-12-81

ADDRESS: POL 1184 DILLON MT 59725

PHONE: 643-4293

REPRESENTING WHOM? Mnt Ft 6 Commission

APPEARING ON WHICH PROPOSAL: H R 200

DO YOU: SUPPORT? _____ AMEND? ☒ OPPOSE? _____

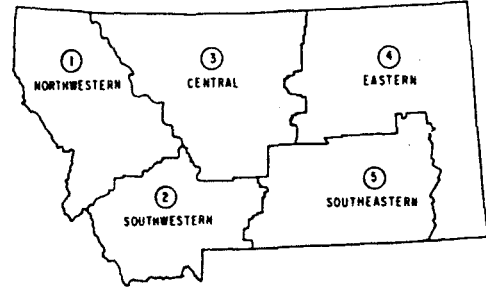
COMMENTS: PLEASE SEE WRITTEN COMMENT

EDUCATION - CONSERVATION



Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION



March 12, 1981

HB 200

Mr. Chairman, members of the Committee, my name is Wilbur Rehmann. I am the Executive Director of the Montana Wildlife Federation and I speak on behalf of our 2000 members and 12 affiliated sportmen clubs. Mr. Chairman, the Montana Wildlife Federation supports HB 200, the license fee increase, *as amended by DFAPA*

Our members, the sportsmen and sportswomen of this state, want to have a well managed wildlife resource in Montana. In order to have that we must have a properly financed and efficiently run wildlife management agency. HB 200 as originally proposed will provide such funding.

Why are sportsmen and sportswomen willing to increase the fees we pay? I can assure you we are not starry-eyed idealists who don't care about our pocket-books.

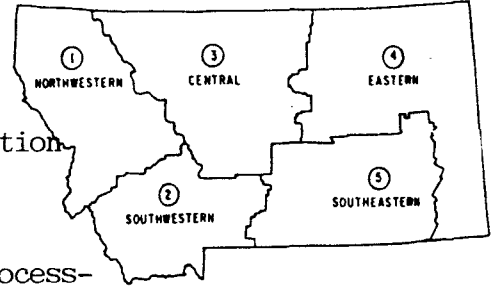
We do care about budgets and we do care about wildlife management, and we recognize the need for a fee increase.

The Department has a new Director, a new Fish and Game Commission, let's let them try to run this agency and manage our wildlife resource in an efficient and financially sound manner. It is no secret that past Directors have made mistakes and errors of judgement when it comes to setting priorities and spending the sportsmen dollars. But, let's not penalize the current administrators for the past sins. If we do, then the wildlife resource itself, because of our vindictiveness, will suffer.

Wildlife is a valuable asset to the states economy. Montana residents and out-of-state sportsmen paid over \$128 million into this state's economy in 1978. Hunters and fishermen traveling across the state to their favorite fishing and hunting haunts increase the local

Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION



prosperity of each town they come to. Wildlife and recreation pursuit translates into paychecks for Montanans supplying services like restaurants, motels, retail outlets, meat processing, equipment rental, dude ranching, gasoline and transportation.

Over 1,000 resident outfitters and guides earned \$13.5 million in 1979, mostly from non-residents seeking elk in high country, deer on the plains, or trout in a quiet stream. A financial multiplier effect causes these dollars to double their value as they move through the economy and spread their wealth across the State.

Even though the states general economy benefits from people coming here to see, photograph and pursue wildlife, no Montana State general tax dollars pay for any fish or wildlife management work. Sportsmen, the users, pay.

Hunting license dollars pay for the state hunting program including management as well as free services like hunter safety training for Montana's young hunters.

The Department of Fish, Wildlife and Parks is responsible for providing much of what we as sportsmen and the recreation industry in general rely on; observable and huntable wildlife populations, and natural resources attractively managed. The Department's problem today is money. Without a license increase, and with continued services at present or slightly reduced levels in the face of present inflation, the Department will be \$3 million in the red by June 30, 1982.

Sportsmen and their families believe in a balanced budget and we want to see a continuing effort to maintain quality recreation in Montana.

The Montana Wildlife Federation vigorously supports the license fee increase.

with amendments proposed by DFW

Wilbur W. Rehman
Executive Director
Montana Wildlife Federation



NAME: Wilbur Rehmann DATE: _____

DATE: _____

ADDRESS: 913 Waukesha - Helena

PHONE: 44-3-5677

REPRESENTING WHOM? Montana Wildlife Federation

APPEARING ON WHICH PROPOSAL: HB200

DO YOU: SUPPORT? _____ AMEND? amend _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: ERL BARNESS DATE: 3/12/81ADDRESS: 1433 Ave. "E" Billings, Mont. 59102PHONE: 245-5692REPRESENTING WHOM? Billings Rod + Gun ClubAPPEARING ON WHICH PROPOSAL: HB 200DO YOU: SUPPORT? ☒ of support as amended by Dept. Director Flynn. AMEND? ☐ OPPOSE? ☐

COMMENTS: We are moving from an era of environmental concern to an era of energy concern. I would hope that in our intense concern for judicious use + management of expendable resources we don't disregard the best possible use + management of our renewable resources.

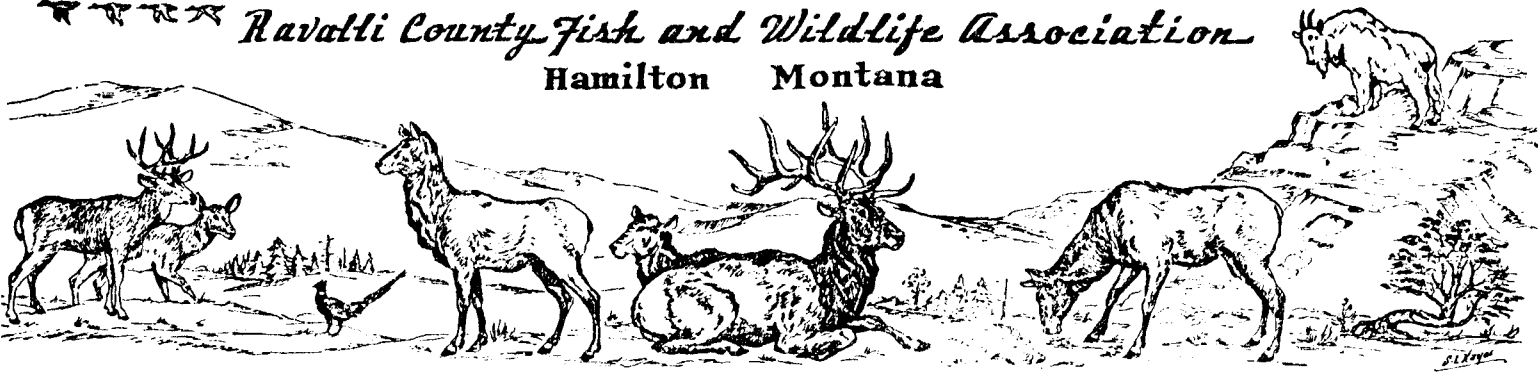
When I think of renewable resources I consider fish + game on equal ground with cropland, range + timber. Our Fish + Game and the environment in which they live are an important + valuable segment of Montana's renewable resource. I hope what sportsman have to say, at this hearing, will be seriously considered by you members of the committee.

The Fish + Game resource in Montana is far too valuable to be relegated to a "guess + hope" operation because of unreasonable funding levels.

Thank you for your attention + consideration.

Attachment # 8

Ravalli County Fish and Wildlife Association
Hamilton Montana



March 12, 1981

Senator Elmer Severson
State Capitol Building
Helena, MT 59601

Dear Senator Severson:

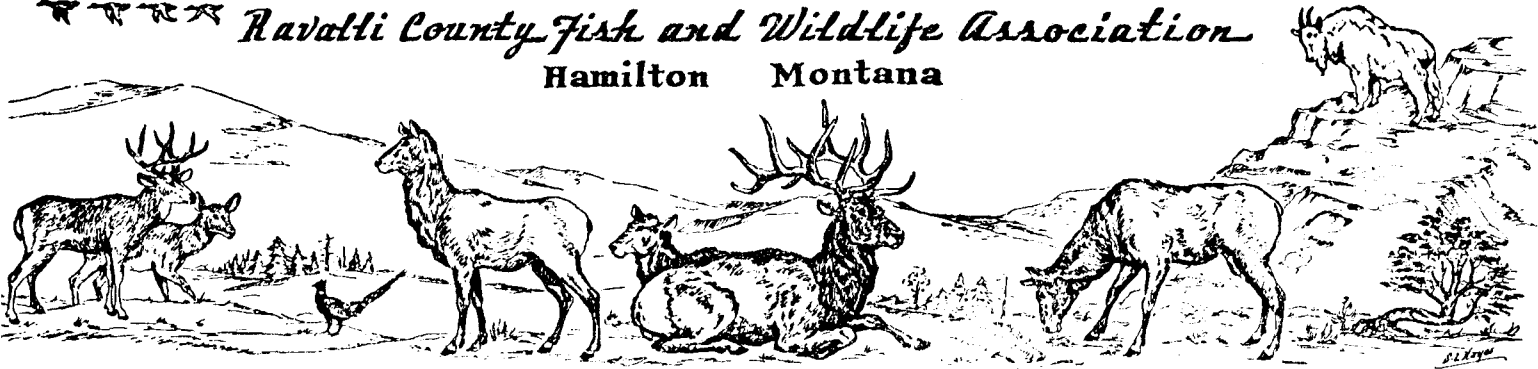
The Ravalli County Fish and Wildlife Association voted at its' January 1981 meeting to support HB200. Since that time, HB200 has been considerably modified.

On March 9, 1981, our Association board met and HB200 was again discussed. Following the discussion, the directors and officers reaffirmed our support of HB200, not in its' amended version, but as it was originally written.

We realize that because of the current economic crisis, a hiring freeze of temporary employees has been placed on the Department of Fish, Wildlife and Parks. Checking stations set up throughout the state during the general big game hunting season are manned by these temporary employees, including a station in Ravalli County, south of Darby, Montana. If HB200 were to pass in its' amended form, these checking stations would no longer be operated. The closing of these checking stations would have a harmful impact on hunting in the state. Valuable biological data and hunting statistics are collected through these stations, which in turn the Department uses as a guideline for setting hunting seasons and game limits, not to mention their importance in enforcing game laws.

More restrictive hunting seasons could be a result of the checking station closures, due to lack of sufficient data. This in turn would be harmful to the hunting industry in Montana. In 1978, \$128,000,000.00 sportsmens dollars were spent on fishing and hunting. \$4 to 5 million dollars of that total were spent in Ravalli County alone and we do not wish to see a decline in this source of income for our area nor for the state, which is a possibility if the Department of Fish, Wildlife and Parks does not have the adequate funds to properly manage fish and game.

Ravalli County Fish and Wildlife Association
Hamilton Montana



\$1.00 of every fishing license sold is designated for fishing access land acquisitions. 15% of that dollar is used for maintenance and 85% for actual purchases. As the population in Ravalli County steadily increases, access to the Bitterroot River is becoming a major problem. This accessibility problem is one we share with others across the state. Again we can foresee the possible economic as well as recreational damage to the states fishing industry without a budget increase for the Department of Fish, Wildlife and Parks through increased license fees. The Department would face budget cuts with the passage of amended HB200 and we believe the monies for fishing access site purchases would be greatly reduced.

The future of fishing, hunting, backpacking, boating, photography, hiking, camping, etc., in Montana depends on the guarded management of our resources by the Department of Fish, Wildlife and Parks and they must have adequate funding. Therefore we urge you, Senator Severson, to oppose ammended HB200 and to support HB200 as it was originally written.

Thank you.

Sincerely,

Jan Bicha

Jan Bicha, President
Ravalli County Fish and Wildlife Association

cc: Senate Fish and Game Committee members
Mr. Jim Flynn, Director, Department of Fish, Wildlife & Parks

NAME: Jan Bicha DATE: 5/12/81

ADDRESS: NE 5520 Cornwell Loop Florence, MT.

PHONE: 213-0216

REPRESENTING WHOM? Naval Co. Fish & Wildlife Assoc.

APPEARING ON WHICH PROPOSAL: HB 200 - License fee increase

DO YOU: SUPPORT? ~~YES~~ AMEND? X OPPOSE? _____

COMMENTS:

Current trapper's license = \$10

Proposed trapper's license = \$25

Reasons for the increase:

Montana Dept. of Fish, Wildlife and Parks annually receives about \$40,000 from Montana trappers (4,000 licenses @ \$10).

Montana Dept. of Fish, Wildlife and Parks annually spends about \$200,000 on servicing Montana trappers. This figure is broken down into \$100,000 on law enforcement time and mileage and about \$100,000 on furbearer management and research.

Clearly, Montana trappers are not paying their own way, but are being subsidized by the rest of Montana sportsmen.

The Montana fur trade is worth about \$3 million annually, which averages to an income of \$750 per trapper. One good beaver pelt or half a coyote will pay for a \$25 trapper's license, even in a year when fur prices are low. There is no reason why other Montana sportsmen should subsidize trappers when the trappers are making tremendous economic benefits from the wildlife resource.

No matter what the trapper's license fee is, landowners will still be able to buy a trapping license for \$1 to protect their property from wildlife damage. This \$1 license is transferrable so a landowner can designate an agent (i.e., a local trapper) to do the trapping to remove problem animals.

The federal government is putting increasing pressure on the state to justify any trapping season on bobcats, lynx and river otter. Unless the state has the funds and can do adequate furbearer population research, there is a real possibility that Montana will have to close its trapping seasons on some or all of these species because the state cannot prove populations are high enough to sustain a harvest.

The \$10 trappers' license is the same as it was in 1940. Many trappers believe the fee should be increased.

There has been some interest expressed in having a \$10 trappers' license for kids under 18. This could be incorporated into HB 200.

Nugh Zacken
Twin Bridges

NAME: Hugh Zackheim DATE: 3-12-81

ADDRESS: Star Route A, Twin Bridges

PHONE: _____

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: HB 200

DO YOU: SUPPORT? _____ AMEND? ☒ OPPOSE? _____

COMMENTS: Amend to level requested & needed by
Dept. of Fish Wildlife & Parks

Attachment #10

Southeastern Sportsman Association
Box 33 Billings, Montana 59103

3/11/81
MAILGRAM TO:

COPY

Senator Jack Galt
Capitol Building
Helena, Montana 59601

We the Southeastern Sportsmen Association feel the Fish and Game should have their 82 budget proposal. Don't penalize the present director for past mistakes. Past interest money on license funds should also be available.

F. B. Carver
Fred Carver-President

Western Montana Fish and Game Association

MISSOULA, MONTANA



February 12, 1981

Subject: House Bill 200

Position: In favor of the bill as originally presented to the House

Background: For the last ten years Montana sportsmen have observed with concern the increasingly static quality of the Fish and Game Department, later the Department of Fish, Wildlife and Parks. Vastly increasing Hunting pressure from a growing population would seem to indicate more checking stations and twice as many game wardens, but we haven't seen this. Shoulder to shoulder fishermen in certain areas indicates a need for expanded fishing access sights, but it doesn't occur as fast as needed. High fur prices and a "live off the land" philosophy makes one wonder if we shouldn't collect more data in this area.

Couple these examples with our personal experience with the increasing cost of gas, supplies and labor. The conclusion is that we can not obtain more services with the same amount of money; the Department of Fish Wildlife and Parks will need more money.

How to increase funding is the problem and we have considered many alternatives:

1) Request general fund money to subsidize the FW&P Dept, 2) apply to the legislature for the interest money earned by license fees while they rest in the general fund, 3) ask the legislature to fund the federally mandated non-game program so license fees would not be used there, 4) create a tax on cross country skis, cameras, backpacks, etc. so people who "look but don't harvest" could contribute to wildlife management, or 5) we could support a license fee increase.

Alternative 1 is not only distasteful but very unlikely to be successful.

Alternatives 2,3 and 4 together could be helpful. However 2 and 3 already have a history of failure and 4 would be a new direction and create new problems.

That leaves us with alternative 5 which would be our first choice anyway. The Western Montana Fish and Game Association has consistently supported license fee increases in the past. We view an increase now as a responsible step in maintaining the wildlife resource. Never again will Montana contain enough free land and wildlife for the good life in the outdoors to be free to all takers. Sportsmen generally take pride in being the major financier of wildlife conservation and management.

We prefer to keep the cost of our support in line with price of quality research and management. We support license fee increases as proposed in the original bill presented to the House and contend that the amended increases are inadequate. Increased license fees do not realize their full potential for about two years by which time they are needed even more. Given the tone of conservative spending at present, the original proposal for fee increases were moderate compared to other states' and in two phases to lessen the impact on buyers. We do not feel that they were at all out of line.

Hunting, fishing and trapping fees are expenses we choose to pay because we choose to participate, no one forces us.

Jennifer Cote Sec'y

NAME: Jennifer Cote DATE: 3/12/81ADDRESS: 3314 JaysonPHONE: 549-4719REPRESENTING WHOM? Western MT Fish & Game Assn.APPEARING ON WHICH PROPOSAL: HB 200 License fee increase F&GDO YOU: SUPPORT? X AMEND? OPPOSE? COMMENTS:

NAME: MICHAEL CHANDLER DATE: 3/12/81ADDRESS: 4401 SOUTH AVE. W., MISSOULA 59801PHONE: 549-7639REPRESENTING WHOM? WEST. MONT. FISH & GAME ASSOC.APPEARING ON WHICH PROPOSAL: LICENSE FEE INCREASEDO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: At a time when our four most
valuable renewable resources are coming
under ever increasing pressure we must
maintain a level of funding that keeps
pace with the increasing use. We
seriously need the whole proposed increase
Our membership is in unanimous support
of the original bill.

MONTANA AUDUBON COUNCIL

Statement Supporting HB 200: License fee increase for the Department of Fish, Wildlife and Parks.

Mr. Chairman and Members of the Committee,

My name is Gael Bissell and I am representing the Montana Audubon Council. Our organization has over 2,000 members in Montana which are represented by eight chapters located all over the state. Our members are deeply concerned with the welfare of all of Montana's wildlife resources including both game and nongame species. In fact, a large proportion of our members are sportsmen and women as well as bird-watchers.

The Audubon Council supported HB 200 in its original form in the House. We believe that the Department's original request was justifiable, fair and moderate. We strongly believe that the Department should have access to the financial resources it requires to be responsible for the wildlife resources they are mandated to protect. In light of increasing pressures on this resource from both the recreationalist (including the hunter) and the encroachments of developments such as subdivision activities, the Department has an ever-expanding responsibility to maintain. Of interest to our organization is their obligation to nongame species of wildlife which they will not be able to meet unless adequate funds are made available to them. Sportsmen, the payers of this tax, supported HB 200 in its original form. Therefore, we urge you to pass HB 200 in either its original form or with the amendments proffered by the Department. Thankyou.

NAME: Gael Bissell DATE: 3/12/81

ADDRESS: Helena

PHONE: _____

REPRESENTING WHOM? Montana Audubon Council

APPEARING ON WHICH PROPOSAL: HB 200

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: w/ at least amendments proposed
by Dept. Support as originally
proposed. (submitted comments)

Members of the Senate Fish and Game Committee:

My name is Michael Larkin. I am a student of wildlife biology at the University of Montana and chairman of the Legislation Committee of the Wildlife Club.

A recent survey by the University of Montana Bureau of Business and Economic Research states that in 1979 35% of Montanans hunted, 58% fished, and 75% of all Montanans participated in outdoor recreation activities.

Montana's rich endowment of natural resources and beauty provides constant enjoyment for Montanans of all ages - to say nothing of the millions of non-residents who travel, fish, hunt, and vacation in Montana yearly. The Department of Fish, Wildlife, and Parks is entrusted with the responsibility of managing and maintaining Montana's resources "in a manner that will benefit current and future generations of Montanans." In order to fulfill their obligation the Department must be adequately funded. With the immediate threats imposed by rampant inflation and increased demands on our natural resources, any delinquency in funding necessary to ensure proper protection of these resources will surely result in the loss of many of the habitats and wildlife which make Montana uniquely beautiful among the states.

Currently, the Department's major sources of funding are revenues from hunting and fishing license sales and federal excise taxes on hunting and fishing equipment. It is important to note that the federal money cannot be fully utilized without sufficient "matching" state money. License fee revenues are by far the greatest source of state income for the Department.

The last major increase in resident fees was in 1976. Since that time, the Department has been able to maintain it's level of purchasing power by increasing license sales. However, future license sales are not expected to provide the funding necessary for maintaining current management and education programs.

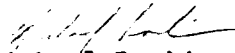
Montana's present license fees are low compared to other Western States. Even the increases proposed by the Department - to be implimented gradually over a three year period - fall below the average fees of the Western States in a number of areas. The proposed Montana increases were developed by competent and responsible public administrators without incentive for personal gain. The increases represent a minimum requirement for perpetuating the Department's present programs.

House Bill #200, in it's original form, would have provided funding for the Department which would just counter the affects of inflation on their buying power. However, the Bill in it's present form - as amended by the House - will not adequately fund the Department. As a young student currently investing in my own future, I ask you to carefully consider the future consequences of reduced purchasing power:

- reduced hunting and fishing opportunities.
- an inferior capability to manage fish, wildlife and cultural resources against intensifying land use.
- inadequate care of state-owned wildlife lands and fishing access sites.
- reduced capability to acquire additional wildlife habitat desperately needed to offset continued habitat losses.
- possible curtailment of the Montana nongame management program.

Clearly, if we hope to continue enjoying the benefits of our natural resources, and if we care about the quality of the world into which we bring our children, we must act now to ensure the survival of our wildlife resources. Therefore, I ask you to look favorably upon the license fee increases initially proposed by the Department of Fish, Wildlife, and Parks in House Bill #200, to amend the Bill back to its original state, and to support the passage of this important document into Montana law.

Thank You,


Michael Larkin

Chairman Legislation Committee

University of Montana Wildlife Club.

NAME: Michael Luckin DATE: 3/12/11ADDRESS: 534 Eddy Missoula MT.PHONE: 721-2287REPRESENTING WHOM? Montana Wildlife ClubAPPEARING ON WHICH PROPOSAL: House Bill 200DO YOU: SUPPORT? ☒ AMEND? ☒ OPPOSE? ☐COMMENTS: support but would like to seeamended back to original Departmentproposals



TESTIMONY BEFORE SENATE FISH & GAME COMMITTEE
REGARDING H. B. 200

Dear Sir:

I'd like to first thank the Committee for this opportunity to express my views. It is greatly appreciated.

My name is Dick Schirk of 313 Galaxy, Butte, Montana. I am here representing the Butte Chapter of Trout Unlimited of over 100 members.

The major concern of Trout Unlimited is the preservation of cold water fisheries and the main interest of our Chapter is the Big Hole river and other southwest Montana streams. Unfortunately a situation has been arising over the past year, and perhaps further back, that in our opinion, is the lack of adequate funds for Fish & Game personnel, especially the people in the field, to be able to properly pursue their jobs in a manner that is expected of them.

Our organization feels that without the proper funds, enforcement of fishing regulations and the studying of our fisheries, will have to be cut back drastically.

Without these two functions, the fisheries of Montana will most certainly suffer, a situation that would be unacceptable to Trout Unlimited.

It is our position, that we enthusiastically support House Bill 200 as originally proposed, which would increase the fishing license fees to a realistic level.

We'd ask the Committee to remember, in this year, when the cry is to "cut taxes", that this proposal is a "pay-as-you-go" or "user" form of tax. This license increase will not affect the general funding.

One change we would like to see would be that the non-resident pay his share. We feel the non-resident pays less than a Montanan to fish here. If a Montanan wants to fish just one day in the year, it presently costs him \$5.00. If the non-resident wants to fish just one day, it costs him just \$2.00.



#7.00 as ammended

By just doubling fees, as ~~proposed~~, the non-resident will only pay \$4.00 and a Montanan ~~\$10.00~~. While the ~~\$10.00~~ for the Montanan is more than fair, the non-resident has the better of the deal. Non-residents traveling to Montana come here to fish the best trout streams in the country. The Fish & Game Dept. works hard to preserve the streams for all the people. Residents and non-residents alike should pay their fair share.

Our Chapter therefore endorses H. B. 200.

Sincerely,

Paul Rosenthal DDS
President
Butte Chapter Trout Unlimited

NAME: Dick Schink DATE: March 12, 1981ADDRESS: 313 Galaxy Dr ButtePHONE: (406) 494-7200 (work)REPRESENTING WHOM? Butte Trout Unlimited / SelfAPPEARING ON WHICH PROPOSAL: HB-200DO YOU: SUPPORT? yes AMEND? yes (see below) OPPOSE?

COMMENTS: I support the Bill as originally
by the department
drafted with the added change that
additional fee be applied to the
non-resident proposed cost of simply
doubling the present non-res fee. Also,
support "Amend's to HB-200" as available
at this hearing. Submitted on behalf
of Butte TU & myself
R. J. Schink

NAME: BILL MCRAE DATE: 3/12/81ADDRESS: BOX 415 FAIRFIELD, MT.PHONE: 467-2581REPRESENTING WHOM? MYSELFAPPEARING ON WHICH PROPOSAL: HB 200DO YOU: SUPPORT? _____ AMEND? ☒ _____ OPPOSE? _____COMMENTS: I would like to see Bill amended
to give the FWF their original request.

Attachment #17

NORTHWESTERN NATIONAL LIFE INSURANCE COMPANY

MONTANA AGENCY - BOZEMAN DISTRICT
KENNETH R. "KEN" JONES, CLU - SALES REPRESENTATIVE

OFF: 406 - 587 5155
RES: 406 - 587 3336

March 9, 1981

Senator Ed Smith
Capitol Station
Helena, Montana 59620

Dear Ed:

I appreciate your letter of March 6th concerning the Fish, Wildlife and Parks Department House Bill 200.

I have been interested in this bill for some time; however, I will not be able to come up and testify against this raise Thursday, March 12th. However, I would address my comments directly to you and you may have my permission to use them in any way you see fit.

1) The Fish and Game Department, in the past, has created their own little empire and have been reluctant to respond to the legislature as a department of that size should.

2) If they are short of money, there is a tremendous demand for .357 magnum pistols which the department purchased some time back; and, I assume with the purpose of shooting sportsmen committing misdemeanors.

3) It is my understanding that they spent several million dollars purchasing an island that has extremely limited access, namely Wildhorse Island in Flathead Lake.

And, it is with the above mentioned misuse of funds, and others that you referred to in your letter, that I would recommend that if the Fish and Game Department is short of money, then lay off some personnel if necessary. The way those idiots have conducted business in the past, there isn't anything left to hunt or any fish left to swim.

I wish Jim Flynn, the new director, all of the luck in the world; because, during the past 10 or 15 years, the enforcement department of the Fish and Game has been sticking their nose in every other department within the Fish and Game interfering with business that should be conducted by an entirely different manner.

Ed, keep up the good work . . . stay off the streets and out of the bars at night. Have a good session; and, I hope it isn't too strenuous for the remaining days of the current session.

Yours truly,

Kan

Kenneth R. Jones, CLU



The Big Sky Country

MONTANA STATE SENATE

SEN. ED B. SMITH
MAJORITY WHIP
DISTRICT NO. 1
DAGMAR, MONTANA 59219

March 6, 1981

COMMITTEES:
FISH AND GAME, CHR.
EDUCATION, V. CHR.
FINANCE AND CLAIMS

Dear Sportsmen:

House Bill 200, the license fee increase proposed by the Department of Fish, Wildlife and Parks, will be heard in the Senate Fish and Game Committee on Thursday, March 12, at 1:00 p.m. in Room 402 of the Capitol.

Changes were made by the House Fish and Game Committee in the original proposal of House Bill 200. Some of those changes are listed on the attached page.

As you know, there have been many problems within the Department of Fish, Wildlife and Parks as to a lack of unity between the various divisions and it is hoped with the new director, Jim Flynn, that the barriers between the divisions can be eliminated and that all Fish and Game personnel can work in a unified effort in carrying out their duties and responsibilities to the sportsmen. There also was a problem of manipulating appropriated funds from one division to another without legislative approval which must be stopped.

If you care to offer any suggestions or comments concerning this proposed legislation, please write to me at Capitol Station, Helena, MT 59620, or call my office, 449-4884.

Sincerely,

Ed B. Smith

Ed B. Smith

EBS/t
encl.

HOUSE BILL 200

	<u>original</u>	<u>proposed by department</u>	<u>passed by House</u>
Lost or stolen license replacement	\$ 3.00	\$ 25.00	\$ 5.00
Resident and nonresident wildlife conservation licenses	1.00	3.00	2.00
Class A resident fishing license	<u>5.00</u>	7.50 (1982) 10.00 (1983)	6.00
Class B nonresident fishing license	<u>20.00</u>	40.00	30.00
Class A-1 resident game bird license	4.00	5.00 (1982) 6.00 (1983)	4.00
Class B-1 nonresident game bird license	30.00	40.00	30.00
Wild turkey tags	2.00	5.00	3.00
Class A-3 deer A tag	7.00	8.00 (1982) 10.00 (1983)	8.00
Class A-5 elk tag	8.00	10.00 (1982) 12.00 (1983)	9.00
Class B-10 nonresident big game combination license	225.00	300.00 (1982) 325.00 (1983)	250.00
Class B-10 nonresident licenses sold may not exceed	17,000	15,000	17,000
Trapper's license	10.00	25.00	10.00

(attachment to letter 3/6/81)

NAME: GARY Witmer DATE: 3/12/81

ADDRESS: P.O. Box 747 Deer Lodge, MT

PHONE: 846-3455

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: HB 200

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: would like to testify in support
of HB 200 as a wildlife bio. formally
with the WASH GAME DEPT.

NAME: A. M. Elwell DATE: 3/2/81

ADDRESS: 3078 Howard Rd Helena MT

PHONE: 227-5240

REPRESENTING WHOM? Prickley Pear Sp. Ass.

APPEARING ON WHICH PROPOSAL: H/B - 200

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Kenneth S. Frasier DATE: 3/12/81

ADDRESS: 236 Ave F, Billings MT

PHONE: 248-6426

REPRESENTING WHOM? Self, AI Bish.p, various organizations

APPEARING ON WHICH PROPOSAL: 200

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: Full support of F.W.P recommendation -
testimony will comply.

NAME: ROGER KRUCKENBERG DATE: _____

ADDRESS: PO BOX 2 DEER LEDGE

PHONE: *BAC-3284*

REPRESENTING WHOM? SPORTSMAN

APPEARING ON WHICH PROPOSAL: HB 200

DO YOU: SUPPORT? ~~X~~ AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: H. P. Miller DATE: _____

ADDRESS: Hydram Mount.

PHONE: 342-5463

REPRESENTING WHOM? Farmers Ranches South Eastern Georgia

APPEARING ON WHICH PROPOSAL: _____

DO YOU: SUPPORT? Yes AMEND? _____ OPPOSE? _____

COMMENTS: _____

HOUSE BILL 200--BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE & PARKS

Section 1--The House Committee amendment dropped the ceiling on the price of replacement licenses from \$25.00 to \$5.00. Currently, the ceiling price is \$3.00.

Section 2--The House Committee amendment changed the price of a wildlife conservation license from the suggested \$3.00 to \$2.00. Currently, it's \$1.00.

Section 3--The House Committee amendment changed the price of a Class A-resident fishing license from \$7.50 (\$10 after April 30, 1983) down to \$6.00. Currently, it's \$5.00.

Section 4--The House Committee amendment changed Class B-nonresident fishing licenses from \$40.00 down to \$30.00. Currently, it's \$20.00.

Section 5--Original amendment to allow a 2-day nonresident fishing license, costing \$4.00 instead of \$2.00.

Section 6--A new section creating a paddlefish tag. House amended the tag cost from \$5.00 to \$3.00.

Section 7--By House Committee amendment Class A-1 nonresident game bird licenses will remain at \$4.00.

Section 8--Class B-1 nonresident game bird licenses will remain at \$30.00.

Section 9--Wild turkey tags were amended to \$3.00 rather than \$5.00 as originally suggested or \$2.00 as they are currently.

Section 10--Resident deer A tags were amended to \$8.00 from \$7.00 but the 1983 increase to \$10.00 was deleted by the House.

Deer B tags remain at \$5.00

Elk tags were increased to \$9.00 from \$8.00

Bear tags were amended from \$6.00 to \$8.00

Section 11--Nonresident big game combination licenses were amended by the House from the suggested \$300 to \$250. Currently, they are \$225.00. The House floor amended the limit on issuance from the suggested 15,000 back to 17,000, the current limit.

Section 12 (Stricken)--A new section added by House Committee amendment creating separate nonresident deer and elk classes and licenses was amended on the House floor.

Section 12--The House Committee amended the nonresident mountain lion license back to the current \$100.

Section 13--The House Committee amended the resident mountain lion license back to the current \$5.00.

Section 14--The House Committee amended the trapper's license back to the current \$10.00.

Section 15--The House Committee amended special licenses for residents back to the current amount and dropped the non-resident licenses from the suggested \$250 to \$175. Currently, they are \$150.00.

Section 16--Deleted the requirement that a person must wait seven years to reapply for a special license if he has been successful in taking a special license animal.

Section 17--Provides that the department will devise a method for allowing persons who apply for special elk permits to select a choice of hunting districts...eliminate the "first preference" privilege for those who didn't receive such a permit the year before.

Section 18--Amends to handle drawings for special antelope licenses in the same manner.

Section 19--A new section creating a drawing fee of \$5.00 for all applicants.

Section 20--The House Committee amended the Class AAA sportsman's license back to the original \$35.00.

Section 21--The House Committee amended the game license fee for those aged 15 to 12 back to the current \$2.00.

Section 22--Raises the amount of license fee retained by the license agent from 15 cents to 30 cents.

Section 23--Returns license fee for falconry from the suggested \$25.00 to the current \$3.00.

COMMITTEE ON

Senate Fish & Game

DATE

March 12, 1981

House BILL NO. 200

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppos
MICHAEL CHANDLER	WEST. MONT. FISH & GAME ASSOC. ^{MISCELLA}	X	
Michael Larkin	W. of Montana Wildlife Club	✓	amend
Jennifer Cote	Western Montana Fish & Game Assn	X	
Wilbur Reimann	Mont Wildlife Federation	X	amend.
Jan Bicha	Laurel Co. Fish & Wildlife Assoc	X	amend
Hugh Zackheim	(Gardner & Nun Bridges)	✓	with amendments
BILL MCRAE	OUTDOOR WRITER ASS. OF AMERICA	X	
H. P. Miller	Hingham Quaint Ranches	X	
Norris Cole	" " Ranches	X	
Paul Bissell	Mont Audubon Council	✓	
Eul Barnes	Blgs. Rod & Gun Club	✓	
GARY Witmer	Self	X	
Kenneth S. Frazier	Billings Rod & Gun, Self, Al Bishop, de	✓	
W. E. Wheeler	Pickley Pool & Sp. Ass.	✓	
PETE TEST	TROUT UNLIMITED MONT. Council	✓	
Olaf J. Nielsen	Self.		
Harold "Doc" Burns	Laurel Rod & Gun Club -	✓	
Dick Schenk	Self / Butte T.V.	✓	
G.P. Meyer	Self Bozeman -	✓	

(Please leave prepared statement with Secretary)

MINUTES OF MEETING
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

MARCH 14, 1981

Chairman Smith called the meeting to order at 1:03 p.m. in Room 402 of the Capitol.

ROLL CALL: Members of the committee who were present for roll call were Senators Smith, Galt, Severson, and Eck. Senator Berg arrived at 1:05, Senator Jacobson at 1:07, and Senator Lee at 1:30.

CONSIDERATION OF HOUSE BILL 152, "An act to minimize transmission of rabies by prohibiting the possession of bats, skunks, foxes, or raccoons and providing for prohibition of possession of certain other animal species known to be capable of transmitting rabies to human beings; and providing an exemption for such animals that are possessed for six months prior to January 1, 1982."

Chairman Smith recognized Representative Gene Donaldson, chief sponsor of HB 152. Representative Donaldson said that this bill is an attempt to solve what could be a potentially dangerous health problem. He related the fact that very recently, for the first time in the history of the state, a rabid skunk was located west of the Continental Divide. He said the problem with the skunk in relation to the dog is the fact that the skunk may carry the disease many months before it becomes obvious. If a dog has the disease, it will die in just a few days. In passing this bill they are trying to control the sale and ownership of those animals which may be carriers of the disease.

Representative Donaldson pointed out the exceptions on page 2, lines 5 through 12, Section 2--that those who own an animal for at least six months prior to January 1, 1982, may continue to own the animal, or if the animal is used in a fur-bearing enterprise, contained in a geological exhibition in such a manner that it may not come in physical contact with members of the public, or acquired by an educational institution for scientific research.

He stated that he believes the bill needs one amendment. On page 3, Section 6, lines 9 through 14, the civil penalty not to exceed \$100 per day for violation is far too stringent.

PROPOSERS OF HOUSE BILL 152. Mr. Robert VanDerVere spoke in favor of HB 152. He manages property on Meadow Lake within two blocks of Kessler School on the west side of Helena and said he traps skunks in that area solely for the protection of the children passing through the area on their way to and from school.

Dr. John Anderson, representing the Department of Health and Environmental Sciences, spoke in favor of the bill. A similar bill has been presented to the legislature in an earlier session. The department is very earnest about this bill; more so now than in the past because rabies has spread. He receives more calls on rabies than any other disease in the state.

Dr. James W. Glosser, State Veterinarian with the Department of Livestock and State Public Health Veterinarian in a consultative basis with the Department of Health and Environmental Sciences, spoke in support of HB 152. (Attachment #1)

Mr. Al Dougherty representing the Montana Veterinary Medical Association testified in support of HB 152. He said rabies presents a serious human health risk, that 39 of 50 states have such laws. He stated that currently none of the licensed veterinary rabies vaccines is authorized or licensed for use in wild life because the safety and efficacy data for the use of these products in wildlife are not available. (Attachment #2)

Dr. Kenneth C. Lee, D.V.M., Scobey, member of the State Board of Health and private practitioner, spoke in favor of HB 152. He related incidents and personal involvement which he has experienced. (Attachment #3)

Dr. David Lackman, Lobbyist for Montana Public Health Association, spoke in favor of HB 152. He said that he had followed a case of rabies to conclusion and testified that it was a horrible way to die. (Attachment #4)

Dr. Robert Painter, D.V.M., Helena, in veterinary practice for 20 years, spoke in support of HB 152. He said that when the animals are small, they are sweet, cuddly pets, but when they become sexually mature, they are very mean.

Mr. R.G. "Rick" Tucker of Helena spoke in support of HB 152.

OPPONENTS OF HOUSE BILL 152. Mr. Dave Majors, owner and operator of a game farm east of Stevensville and representing the Western Montana Aviculturists, said he agreed with the intent of HB 152, but not in its present form. He said Section 2 delineates four categories of exceptions to this prohibition but no mention is made of the offspring of any of the animals which are excluded. The incubation period for rabies in skunks is up to 13 months and no wild-caught skunk should be sold or used for breeding purposes prior to 15 months of captivity. He recommends amending Section 2, line 11, after "scientific research" by adding "or the captive bred and captive reared offspring of the above exception." (Attachment #5)

Mr. Fredrick Frey, member of Western Montana Aviculturists and representing only himself, spoke in opposition to HB 152. He believes the rabies problem comes from wild--not captive animals, and supports Mr. Major's amendment. (Attachment #6)

A discussion period followed concerning page 3, Section 6, lines 9 through 14, which Representative Donaldson pointed out earlier. Chairman Smith asked Ms. Merrill to look at this section for the purpose of amending the civil penalty.

Chairman Smith recognized Representative Donaldson. In closing, Representative Donaldson stated that he opposed the amendment suggested by Mr. Majors.

CONSIDERATION OF HOUSE BILL 806, "An act to increase the amount of money that may be used for operation, development, and maintenance of fishing accesses;"

Chairman Smith called on Representative Rex Manuel, sponsor of HB 806 by request of the Senate Fish and Game Committee. He said it was a concern of the appropriations subcommittee that 15% of the earmarked account was not enough to maintain the sites even with the help of general fund monies. He stated it would be desirable to have existing sites in better shape than to keep buying sites and not be able to maintain them. The bill would allow the department to spend as much as 50% of the fund for operation, maintenance and development of the fishing access sites.

PROPOSERS OF HOUSE BILL 806. Mr. Jim Flynn, Director of the Department of Fish, Wildlife, and Parks, submitted written testimony and spoke in favor of HB 806. (Attachment #7)

OPPOSERS OF HOUSE BILL 806. Mr. Joel A. Shouse of Bozeman spoke in opposition to HB 806. He said he is not opposed to the development of access sites but feels that acquisition of new sites is important and favors higher license fees. (Attachment #8)

Mr. Robert VanDerVere spoke in opposition to the bill.

Mr. Mark Birrer of Bozeman, past president of Trout Unlimited, Madison-Gallatin Chapter, spoke in opposition to the bill and stated that fees should be increased to offset the cost. (Attachment #9)

Mr. Nick Holmes, principal of Whitehall High School, and speaking on behalf of other fishermen, opposes HB 806 and believes the acquisition program as established should not be changed. He also spoke in favor of an increase in license fees as proposed in HB 200. (Attachment #10)

Mr. Noel Rosetta of Missoula, and speaking for 900 members of Trout Unlimited, opposed reducing funding for the fishing access site acquisition program. He also spoke in favor of a license increase and voiced support of HB 200 in its original form. (Attachment #11)

It was brought out in the discussion which followed that other funding used for acquisition were coal tax funds and Pittman-Robertson money, in addition to the fishing license money. Mr. Flynn testified that there are now approximately 300 fishing access sites; that HB 806 would curtail acquisition, but would not stop it.

Chairman Smith called on Representative Manuel to close the hearing on HB 806.

CONSIDERATION OF HOUSE BILL 222, "An act limiting noise emissions from motorboats, providing maximum noise levels, requiring testing and certification of outboard motors and marine engines, allowing certain exceptions, and increasing the motorboat identification number fee to \$2;"

Chairman Smith called on Representative Ken Robbins, chief sponsor of HB 222, to explain the reason for the bill.

Representative Robbins said HB 222 was an act limiting noise emissions in the same manner as snowmobiles were limited. It will not affect any motorboats built prior to 1978, but some modified motors will be affected. He said that motorboats competing in regattas may do so on specified areas.

PROPOSERS OF HOUSE BILL 222. Representative Robbins spoke on behalf of Ken Hoovestel with the Montana Marine Trades Association. They favor the legislation but could not attend the hearing today.

Mr. David B. Lackman, Lobbyist for the Montana Public Health Association, said there is a health problem when sound approaches 100 decibels for a certain amount of time and it does affect hearing adversely. (Attachment #12)

Mr. Hugh Kelleher of Helena, speaking as a private citizen, favors HB 222. He owns a house on Canyon Ferry and said the loud motors on some of the boats drown out the noise of lawn mowers, and normal conversation is impossible. He said the boats are too fast for skiing and cause hazards to fishing boats as well as skiers.

Mr. Joe Campeau, an architect and lakeside landowner, spoke in favor of HB 222. He said the noise of the loud motors occur as late as 2:00 and 4:00 a.m. (Attachment #13)

Mr. C. W. "Bill" Huber, a lakeside owner near Helena, spoke in favor of HB 222. He and his family for the last ten years have enjoyed the thrill and tranquility of sailing Canyon Ferry, Hauser and Flathead Lakes. He testified that on many occasions the high speed, high noise boats have startled, shocked and spoiled the silence enjoyed so much by so many. (Attachment #14)

Chairman Smith asked for a show of hands of those in favor of HB 222 who had not had a chance to testify. Time was getting short to accept all testimony, but the chairman asked that if those present would submit written testimony, it would be considered in executive action. Ten people raised their hands in support of HB 222--their testimony is recorded as follows and attached to these minutes.

John B. Balkema, 5585 York Road, a lakeside resident. (Attachment #15)

OPPONENTS OF HOUSE BILL 222. Mr. Gene Hedman of Whitefish, and a member of the Montana Boat Racing Association, agrees that the hotrodders on the rivers and lakes should be required to meet noise emission levels. He is in favor of amending the bill (Attachment #16). He said the idea of making legislation that is very specific to noisy boats is that it competes with the legislation that already has to do with public nuisance and disturbing the peace. If a boat can be identified, a complaint can be filed under the Public Nuisance Act. He testified that boat racing has a special place in Montana and he believes that the boat racing association desires the same result as those who support the bill but he also believes that any legislation affecting the sport of boat racing should have the input of the association.

Mr. Jim Trout of Whitefish, a school board chairman and a boat racing enthusiast, spoke in support of Mr. Hedman's testimony.

Mr. Charles R. Abell of Whitefish and a member of the American Boat Racing Association, said that their organization polices themselves and legislation, if enacted, should include input from the boat racing association.

Ms. Katherine Good, member of the Montana Boat Racing Association, spoke in opposition to HB 222 and in support of Mr. Hedman's testimony. (Attachment #17)

After a lengthy discussion, it was decided that after the meeting, Representative Robbins, the Montana Boat Racing Association representatives, and the Department of Fish, Wildlife, and Parks representative would meet further and work out amendments suitable to all which would prohibit hotrodding of motorboats on public waters and, at the same time, would not adversely affect the sport of boat racing in Montana. (Attachment #18)

The meeting adjourned at 3:20 p.m.

Ed B. Smith

Senator Ed B. Smith

jt

ROLL CALL

FISH AND GAME COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 3-14-81

NAME	PRESENT	ABSENT	EXCUSED
Smith	✓		
Galt	✓		
Severson	✓		
Lee	✓	≠	1:30
Eck	✓		
Berg	✓	≠	1:05
Jacobson	✓	≠	1:07

Each day attach to minutes.

Before The Senate Committee On
Fish, Wildlife and Parks

Testimony In Support of House Bill 152
by
James W. Glosser, D.V.M, M.P.H

My name is Jim Glosser. I am State Veterinarian with the Department of Livestock; I also serve as State Public Health Veterinarian in a consultative basis with the Department of Health and Environmental Sciences, local health officials, physicians, veterinarians and other persons involved with zoonotic diseases - animal diseases which are transmissible to man.

The Department of Livestock agrees with the testimony of the Department of Health concerning the rationale and need for the passage of HB 152. In addition, I offer the following reasons for its adoption:

The epidemiology of human exposures to rabid animals maintained as pets usually results in several to many human patients being exposed, which requires treatment. This is in contrast to human exposures with rabid unowned dogs and cats or wild animals where usually only one person is exposed and treated.

For example, in 1980 a rabid pet dog exposed 20 children in an Illinois school yard, all 20 students received postexposure rabies prophylaxis. In 1969, another rabid pet dog exposed 139 school children at a school in El Paso, Texas. These were also treated.

The problem in wild animals maintained as pets is no different. An increasing number of cases of rabies in wild pets, especially skunks, are being reported to CDC, which illustrate the problem of keeping these species as pets.

1. In 1977, Oklahoma reported that three pet skunks from different areas of the state were found to be rabid in a five-week period; 50 persons were exposed to the infected animals.
2. Twenty-nine persons were exposed to another rabid pet skunk in Oklahoma in June 1978.
3. In Montana, in late summer of 1977 a rabid pet skunk exposed 10 persons.
4. An incident in Indiana during July 1978 occurred in which 26 persons were exposed to a rabid pet skunk.
5. Another similar incident in which 23 persons in Arizona were exposed in August 1978.
6. In 1980, a pet raccoon exposed at least 25 people which cost the State of South Carolina approximately \$10,000 in biologics and administration of the vaccine.

7. In Oregon, two pet skunks from the same litter became rabid exposing four persons in one episode and one person in the other case.
8. In 1980, two incidents involving rabid raccoons resulted in 227 persons considered as exposed, thereby requiring rabies postexposure prophylaxis. The monetary cost to the State of Florida was more than \$89,000 for biologics and syringes alone for these incidents. This cost does not include the cost of the time for physicians, nurses, epidemiologists and other personnel involved with the investigation.

Most persons involved received postexposure rabies prophylaxis.

Most of these animals involved in the above investigations originated from pet stores or brokers who deal in the mass distribution to multiple states. A recent recall of pet skunks in Minnesota demonstrates the magnitude of the problem.

On December 24, 1980, a pet skunk died and was diagnosed as rabid. The owner purchased the skunk from a broker in a shopping center parking lot on July 16th. The broker sold 350 skunks in Minnesota during this six month period. All of the skunks originated from U.S.D.A. licensed game farms which dealt only with pen raised skunks which allegedly had no exposure to skunks raised in the wild. To date, health authorities have traced 135 of the skunks sold by the broker. Only 30 owners have released the normal behaving skunks to health officials for destruction and rabies testing, one of the 30 tested was infected with the rabies virus.

To date, 10 states are involved in the traceback which involves approximately 2000 skunks from multiple brokers or game farms.

The major problem confronting veterinarians is the fact that none of the currently licensed veterinary rabies vaccines are licensed for use in wildlife species. When a veterinarian unwisely administers rabies vaccine to satisfy a demanding client, the problem compounds itself by: (a) one type, the modified live products can and have induced rabies in wild animals. There are numerous reports of such events occurring in skunks; also, recently vaccine induced rabies in a fox in California was reported, and in July, 1978, a vaccine induced case of rabies in a raccoon occurred in Utah; (b) the inactivated product can prolong the incubation period of rabies into months, particularly in skunks. Therefore, when a health official or doctor is confronted with a patient in which a bite exposure resulted from a wild animal which had been vaccinated with rabies; it is truly a dilemma to know whether the animal may be rabid either from the vaccine strain virus or the field strain virus.

All of this information and much more has been disseminated by various governmental agencies, groups, and associations to the public, yet public information programs have not been successful in preventing undue hazards to the public. Specifically, the active public information program carried out in North Dakota has had the same general experience. Dr. Anderson's and my experience confirms this statement.

In summary, the maintenance of wild animals is truly the physicians and veterinarians dilemma in dealing with their clients. I thank you for the opportunity of presenting the information before this Committee.

The Montana Department of Livestock respectfully urges the Committee to consider a do pass on House Bill No. 152.

Dated: March 12, 1981

#1

NAME: Sir Grosser DATE: 3/14/81

ADDRESS: Helena, Md.

PHONE: 444-2043

REPRESENTING WHOM? Mr. Dept of Justice

APPEARING ON WHICH PROPOSAL: HR 152

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: Prepared statement enclosed.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

LAW OFFICE
ALFRED F. DOUGHERTY
P. O. BOX 593
HELENA, MONTANA 59601

Attachment #2
TELEPHONE 408 / 442-1440
SUITE 1-C - PENWELL BUILDING - 34 WEST SIXTH AVENUE

BEFORE THE SENATE COMMITTEE ON
FISH, WILDLIFE, AND PARKS

* * * *

TESTIMONY IN SUPPORT OF HOUSE BILL NO. 152
BY MONTANA VETERINARY MEDICAL ASSOCIATION

* * * *

14 March 1981

* * * *

My name is Al Dougherty. I am an attorney and lobbyist and I represent the Montana Veterinary Medical Association (MVMA) in supporting House Bill No. 152.

The MVMA agrees with the testimony of the Department of Health and Environmental Sciences because the unregulated possession of skunks, foxes, raccoons, and bats presents a serious human health risk.

Some of what I have to say is perhaps necessarily repetitious of other supporters of House Bill No. 152.

Thirty-nine of the nation's 50 states have laws regulating the control and sale of pet animals and wildlife. One of the reasons such laws were passed was because they have been recommended and supported by such prestigious national organizations as the U.S. Public Health Service's Center for Disease Control in Atlanta; the National Academy of Sciences; the Association of State and Territorial Epidemiologists; The Association of States and Territorial Public Health Veterinarians; the U.S. Animal Health Association; and the American Veterinary Medical Association (AVMA).

As long ago as 1973 the General Assembly of the AVMA adopted a resolution opposing the keeping of wild animals as pets.

One of the compelling reasons for the AVMA action was that none of the currently licensed veterinary rabies vaccines is authorized or licensed for use in wild life!. . . . That is so because the safety and - more importantly - the efficacy data for the use of these products in wild life are not available.

Despite the commonly encountered view of many laymen that a "pet" skunk, raccoon, fox, or bat can be vaccinated for and hence immunized against rabies, such is just not the case. . There are numerous cases recorded showing the vaccine can induce rabies in such animals. . . . Although laymen assume wild animals are like cats and dogs, they are not. The pathogenicity of rabies in wild animals is not completely understood by the scientific and medical communities.

Add to the fact no vaccine yet licensed is effective in wild animals two additional common risk factors: (1) A significant number of pet owners - perhaps most - have no conception of how to care properly for a wild animal, what its dietary requirements are, how, when and where it should be exercised, even what its minimum kennel requirements are; (2) All too often owners tire of their pets and cannot or will not find proper homes for them and abandon them, thus magnifying the risks to public health.

Unfortunatley, many wild animals are of an exotic nature, attractive, cuddly, most appealing to young children. Consequently when they are acquired to be pets, they are often fondled, carried about, and even taken to school where they are exhibited and handled. When such an animal develops rabies, very often the exposure of scores of children and adults necessitates anti-rabies treatment for a large group of people.

Page three

Testimony In Support Of House Bill No. 152

Last year in Florida a rabid "pet" raccoon occasioned the treatment of 74 persons who had contact with the animal in the sixty days before it became ill. Seventy per cent of those exposures - 52 of them - occurred at school! The exposures included bites, scratches, licks, petting, feeding, holding, or touching the animal. . . . The exposures resulted in a minimum cost of \$21,624 to the State of Florida, not including the time of state and federal epidemiologic and laboratory personnel. . . . The incident is detailed in the attachment to my testimony.

Rabies is increasing in occurrence in Montana despite the work and worry of the Department of Health and Livestock and the animal and human health professionals of the state. Rabies is becoming a ubiquitous public health hazard, particularly as wild animals spread it across the state. There are no controls on wildlife rabies as there is on cats and dogs.

House Bill No. 152 will, if passed, provide significant protection to the public from wildlife rabies, which is a silent time bomb to our society.

The Montana Veterinary Medical Association respectfully urges Senate concurrence in House Bill No. 152.

A handwritten signature in black ink, reading "Alfred F. Dougherty". The signature is written in a cursive, flowing style.

ALFRED F. DOUGHERTY
Attorney for the Montana Veterinary
Medical Association

Raccoon Rabies--Florida

On April 25, 1980, rabies was confirmed by fluorescent antibody (FA) test in a pet raccoon that had had contact with 150 children and adults during the previous 7 months. The animal had exhibited the first signs of illness on April 21.

Exposure histories were obtained for persons who had had contact with the animal in the 60 days before it became ill, and postexposure prophylaxis with human rabies immune globulin (HRIG) and duck embryo vaccine (DEV) was recommended for 74 persons. Forty-three were males and 31 were females; ages ranged from 10 to 63 years, with 72% in the 13-15 age range. Of the 74 exposures, 52 (70%) occurred at school, 9 (12%) at home, 1 (1%) in another setting, and 12 (16%) unknown. Seventy-one persons received a complete postexposure vaccination series of HRIG and 23 doses of DEV. The 74 exposures included bites (10 persons), scratches (23), licks (17), petting only (16), other (including feeding, holding, or touching the animal) (6), and unknown (2). No serious reactions were reported, and no deaths have occurred.

On September 15, 1979, the raccoon had been found in the woods of Okaloosa County, Florida, and had been taken into a home. A pet collar was placed on its neck. However, the animal was soon released, but it stayed in the general vicinity begging for food. On November 15, a nearby shopkeeper and his wife, noting the raccoon's collar and assuming that it was someone's lost pet and therefore safe to keep, took it in as a house pet.

After November 15, the raccoon remained in captivity and was not free to roam, except when it escaped for a 24-hour period during the first week of January 1980. On April 21, the raccoon began to exhibit aggressive behavior, anorexia, choking, and staggering, and it was taken to a veterinarian. It bit the veterinarian and his assistant before it was killed and examined. FA tests of brain material were positive for rabies. The animal had never been vaccinated.

Exposure to this rabid animal resulted in a estimated minimum cost of \$21,624, a total that did not include the time of state and federal epidemiologic and laboratory personnel. The breakdown included the administration of 554 ml of HRIG at \$18.29 per ml, or \$10,132, plus 1,883 doses of DEV at \$2.97 per ml or \$5,592. The estimated costs for physicians, nurses, and local epidemiologic investigators' time were \$4,440 (\$60 minimum per exposed person). In addition, the estimated cost per person counseled but not exposed was \$20 (\$1,460 total). "

Editorial Note: The incident is noteworthy for several reasons:

1) it again points up the potential hazard of keeping wild animals as pets. There is no way to determine whether an animal captured in the wild is harboring rabies. 2) It illustrates the need to assess possible exposure to avoid overtreatment. 3) It illustrates that the pathogenicity of rabies in wild animals is incompletely understood.

The decision to use a 60-day risk period cannot be medically challenged, although it may have resulted in unnecessary treatment. In contrast, persons exposed to rabid dogs and cats are treated only if their exposure was less than 10 days before the animal's onset of illness because it is known that dogs and cats shed virus only a few days before illness develops.

Because of our present inability to prevent or recognize rabies in wild animals and the increasing frequency with which wild animal pets are being found rabid, we again strongly recommended that wild animals not be kept as pets.

#2

NAME: AL DOUGHERTY DATE: 14 Mar '81

ADDRESS: Helena

PHONE: 442-1440

REPRESENTING WHOM? Montana Veterinary Medical Association

APPEARING ON WHICH PROPOSAL: H. B No. 152

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS:

Written Testimony passed out to Committee

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Attachment #3

NAME: Jonathan C. Lee, owner DATE: 8/14/81ADDRESS: P.O. Box 396 ScobeyPHONE: 406 - 486 - 5262REPRESENTING WHOM? Myself as a veterinarianAPPEARING ON WHICH PROPOSAL: 150DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: I feel that the problem,
we are having with rabies in my
area (and the area) we need to
have control over. We deal with
the problem of rabies as contained
in public health. This disease has
caused (and has) great economic and
mental frustration to many people.
I feel this bill will help us
to better control the problem of rabies.
Jonathan C. Lee, DVM.

House bill 152 (Donaldson) To minimize transmission of rabies by prohibiting the possession of certain animal species

Hearing : Senate Fish and Game , Saturday , March 14, 1981 1:00 P.M. Room 102

I am David Lackman , lobbyist for the Montana Public Health Association ; testifying as a proponent of HB 152 .

Rabies is a disease for which you "pull out all the stops " when it comes to prevention; no matter how much of a long shot such measures may be. In the mid-thirties, in Philadelphia, I followed a case of rabies to conclusion. It was a truly horrible way to die.

Clinically , of the infectious diseases, it is the worst I have seen.

Meningitis, encephalitis, diphtheria - can't hold a candle to it.

And , in spite of vaccine & hyperimmune serum , there are still cases of rabies .

When rabies becomes established in wildlife , it is a threat to cattle . This is illustrated by what has happened in Mexico. In Montana , skunks are an important source of rabies in nature ; and when such animals are domesticated , they become a potential means of infecting persons . Also, domesticated skunks may attract wild skunks thereby increasing the likelihood of having an infected animal around.

I urge your support of HB 152 .

David B. Lackman
David B. Lackman , Ph.D.
March 14, 1981

HOUSE BILL 152 -- DONALDSON

I agree with the intent of the bill, that is to reduce the transmission of rabies through the prohibition of possession of certain species of animals known to be capable of transmitting rabies to humans. However, I can not concur with the bill in it's present form.

Section 2 delineates four categories of exceptions to this prohibition, however, no mention is made of the offspring of any of these animals which are excluded.

The problem relating to the possible transmission of rabies exists from the capture and subsequent sale of animals from the wild and not from those which are captive-bred and captive-reared. There should definitely be a prohibition against the capture and subsequent sale of these species of 'wild animals', within the period of known incubation of rabies for that species. For example, if the incubation period for rabies in skunks is up to 13 months, no wild caught skunk should be sold or used for breeding prior to say 15 months of captivity.

I believe that there is less chance of an individual contracting rabies from a captive-bred and captive-reared skunk or raccoon, which is confined at all times or under the direct supervision of the owner, than from a uninoculated cat or dog which is allowed to run free and possibly come in contact with a wild animal that is either rabid or carrying the disease. The recent outbreak of rabies in Montana came through domestic animals, ie. cats, dogs, and cattle.

I would urge the committee to either ammend the current bill or not to concur with this bill in it's present form.

NAME: David L. Major DATE: 3/14/91

ADDRESS: 1417 Middle Burnt Fork Rd, Stevensville, MT 59820

PHONE: 777-3642

REPRESENTING WHOM? Burnt Fork Cove Farm & W. Mead Agricultural

APPEARING ON WHICH PROPOSAL: H B 152

DO YOU: SUPPORT? _____ AMEND? ✓ _____ OPPOSE? ✓ _____

COMMENTS: See attached

Suggested Amendment

Section 2

Line 11, after "scientific research" - continue
" ~~on the captive bred and captive reared~~
~~offspring of the above exception.~~

OR The Captive Bred & Captive reared
OFFSPRING of The above Exception

March 13, 1981

C. Fredrick Frey
Route 2 Mullan Road
Missoula, Montana 59801

Senator Ed B. Smith, Chairman
Montana Senate Fish and Game Committee
Capitol Station
Helena, Montana 59620

Dear Senator Smith,

I am writing you to offer the committee my input on HB 152. I understand that this proposal will prohibit or severely limit the possession of bats, skunks, foxes, raccoons, and other species of animals known to be capable of transmitting rabies to human beings, and is in fact very similar to SB259 of 1979. I was opposed to the passing of the bill then, and I must take the same stance on this proposal as written. Please consider the following:

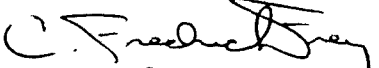
1. Almost all of the problems with rabies arising from the species in concern come from animals taken from the wild.
2. According to a local veterinarian, most animals diagnosed to be carrying the disease have not involved human exposures and often have been dead animals that tested positive.
3. The proposal is far too restrictive and unfair to those who wish to own or breed these animals, which, although in a small way, has been part of the Montana and American way for many generations. There is little or no evidence that captive populations of these animals have contributed to the problem. By captive populations, I mean those bred and raised in captivity, not those captured from the wild and raised.
4. Also, according to the local veterinarian, even though no vaccines are Federally approved for these animals, time has shown that some are functional and are controlling the disease in some of the animals in question.
5. The use of the terms "certain other animal species known to be capable of transmitting rabies" is not specific enough, and allows for various interpretations, and misunderstandings that are not necessary and could give some of the agencies involved a free hand to do as they please.

I do recognize the seriousness of this disease, but I do not believe that Montana's problem warrants this restrictive action without having tried other solutions. There are individuals in this state who earn part of their income from raising these types of animals, and others who receive a great deal of satisfaction from owning such pets. These people, however, should be expected to take the necessary precautions to protect their captive animals from exposure to rabies by means of vaccinations and by limiting their association with wild animals. The Department of Health and Environmental Sciences should

continue to intensify their education process on the disease and its transmittal. Further, we should look at either enforcing or stiffening our laws on the taking of these species from the wilds, where most of the problem seems to lie, and solicit the support of our local veterinarians not to descent skunks taken from the wild, and ~~finally~~ to discourage the keeping of wild animals. Maybe we should look at the use of receipts as proof that the animals came from captive stock.

I hope that your committee will reject HB 152 as written, in favor of attempting to minimize the transmission of rabies through alternate methods which may prove just as effective, and yet allow the citizens of the state to ~~own~~^{own} the animals in question. If we prove that the disease cannot be controlled within reason in our captive bred animals, then the matter could be dealt with in more stringent terms.

Sincerely yours,


C. Fredrick Frey

NAME: C. FREDRICK FREY DATE: 3-14-81

ADDRESS: Route 2 Mulligan Road, Missoula, MT 59801

PHONE: 5490530 WORK - 721-5680

REPRESENTING WHOM? Self, Western MT Aviculturists

APPEARING ON WHICH PROPOSAL: HB 152

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: Attached letter to Chairman of
the committee expresses view point.

PRESENTED BY: James W. Flynn, Director
Dept. of Fish, Wildlife & Parks

March 14, 1981

HB 806

Mr. Chairman, members of the committee, my name is Jim Flynn. I am here today on behalf of the Department of Fish, Wildlife and Parks, and I speak in support of HB 806.

In 1973, the legislature set aside part of the fee from each fishing license for the purchase of fishing access sites on Montana's streams, rivers and lakes. This provision included authority to purchase sufficient land to make recreational use of those accesses. The legislation also assured the funds are to be used in addition to any other funds available for land acquisition. By 1977, it had become apparent the development, operation and maintenance of lands purchased with these funds was draining other fishing license monies and parks revenues. In that year, the department sought to have a portion of the access funds used for development, operation and maintenance. The amount to be used was 15% of the monies set aside each year. The use of these funds was limited to access sites acquired from these funds after April 30, 1974, the effective date of the original legislation.

In this session, the appropriation subcommittee which considered the department's appropriation was concerned the department's fishing access sites purchases had become disproportionate to the department's development, operating and maintenance capability for those sites. In its review of sources of revenue for department activities, the subcommittee decided a larger portion of the earmarked money for fishing access should be made available for

NAME: Noel A. Shouse DATE: 3/14/81ADDRESS: 7900 Leverick Rd., BozemanPHONE: 586-6002REPRESENTING WHOM? SelfAPPEARING ON WHICH PROPOSAL: H.B. 806DO YOU: SUPPORT? ☐ AMEND? ☐ OPPOSE? ☒

COMMENTS: Not opposed to development
of access sites but feel that
acquisition of new sites is
of higher priority. Would support
license fee increase to fund development
of sites.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

development, operation and maintenance, thereby increasing the department's flexibility in managing these sites. In this time of tight budgets and fiscal innovation, the department supports the subcommittee approach.

We request that you concur with HB 806.

NAME: Joel A. Shouse DATE: 3/14/81ADDRESS: 7900 Leverick Rd., BozemanPHONE: 586-6002REPRESENTING WHOM? SelfAPPEARING ON WHICH PROPOSAL: HB 806DO YOU: SUPPORT? AMEND? OPPOSE? X

COMMENTS: Not opposed to development
of access sites but feel that
acquisition of new sites is
of higher priority. Would support
license fee increase to fund development
of sites.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Attachment # 9

NAME: Mark H. Birrer DATE: 3-14-81

ADDRESS: 322 N. 18th Bozeman MT 59715

PHONE: 586-7045

REPRESENTING WHOM? Madison - Gallatin Chapter of Trout Unlimited

APPEARING ON WHICH PROPOSAL: # 806

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? ☒

COMMENTS: we wish to keep at least the \$1 and \$5
from resident and non-resident fishing licenses
earmarked for access only. we agree that
maintenance and operations of existing sites is
necessary, but we would like to see this money
come from increased fishing license fees.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

①

My name is Nick Holmes and I have served, for the past two (2) school years, as principal of Whitehall High School.

I was born, raised, ~~and~~ lived, and fished, in the State of Wisconsin until the age of thirty-eight. Since that time I have made my home in Idaho and Wyoming, prior to my move to Montana. I have wet my fly line in Wisconsin's Brule and the Namekagon, Silver Creek and the Big Wood of Idaho, and Wyoming's Upper Snake, Grey's River, and New Fork. Likely, none is even the equal to several S.W. Montana streams, and the honor only knows how many other great trout streams in this great state.

Therefore, I speak for just plain citizen fishermen, or perhaps better, "fisher persons", of whom there are legions today in every state in these United States, and those who are yet to come. Yes, and perhaps many who have never yet seen the snow capped Rockies let alone the rushing trout streams they spawn.

I fully support the current fishing access acquisition set up. It is my understanding that in recent years a ~~growing~~ concern about the growing conflict between recreationists and land owners, resulted in the formation of a committee, appointed by the governor, in an attempt to curb this conflict. Fishing accesses provided by state acquisition monies definitely tend to reduce this ~~conflict~~ friction.

I can also sympathize with the parks people of the Montana Dept. of Fish, Wildlife and Parks. Surely the 15¢ of every dollar from each license ~~does~~ no longer covers the operation, development and maintenance of fishing access sites. In these inflationary times with their rapidly escalating real property prices, ^{purchase of} land for fishing access can not go forward at the same ^{rate} without additional dollars. It is my belief that every penny spent for acquisition now, is a wise ~~and~~ investment for future generations of fishermen.

I suggest that H.B 200 (license fee increase) be passed without any amendments so as to allow the dept's programs to be adequately funded. If this is insufficient funding for the fishing access program and fisheries management

activities, I would suggest a higher increase. The state of Montana has been blessed with an outstanding fishery resource and the department's strong fisheries program has allowed it to survive. This resource and this program require adequate funding.

A recent survey (Montana Outdoors- Mar.-April, 1981) of Montana citizens (not just paying sportsmen) showed that 71% of the people polled felt license fees should be raised to fund the cost of the fisheries program. I too believe this is essential. The funding increase must be more than the \$1.00 presently proposed by the amended version of H.B. 200.

I oppose H.B. 806 and I support the unamended H.B. 200. These two bills seem to me basically about one problem! How they are ultimately decided could very well determine whether your children and mine will ever be able to test in the future what is today one of Montana's great gifts, its Tremendous fishery resource.

NAME :

DATE :

ADDRESS :

PHONE :

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Attachment #11

March 14, 1981

SENATE TESTIMONY ON HB806

Mr. Chairman and members of the Committee, my name is Noel Rosetta. I represent the 900 Montana members of Trout Unlimited.

As you know, HB806 would increase the earmarked money for access site maintenance from 15% to 50%. We oppose this change because it appears that the end result would be to greatly reduce funding for the access site acquisition program--surely one of the most popular programs in the state.

Let's leave the law as it stands now, allowing no more than 15% of the earmarked funds to go for access site maintenance and get the rest of the funds from the license fee increase.

I would also like to add a related concern. Because of the lengthy testimony last Thursday Trout Unlimited did not testify on the license fee increase. We strongly support such an increase. As stated before we can then use some of this increase for access site maintenance and leave the earmarked funding at 15%.

Noel Rosetta
Noel Rosetta
1100 Missoula Avenue
Helena, MT 59601

#11

PHONE: 442-9695

APPEARING ON WHICH PROPOSAL: 207

COMMENTS: See Testimony

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

HB 222 (Robbins and others) Limiting noise emissions from motorboats . (Fish & Game)

HEARING : Subcommittee 3/14/81, 10:00 AM, Room 2

I am David Lackman , lobbyist for the Montana Public Health Association ; testifying in support of House Bill 222 .

Montana is blessed with mountain lakes of unsurpassed beauty and charm. Those surrounded by land under the jurisdiction of the Federal Government are protected from noise pollution. Lakes where land controlled by the Parks Division predominates do not have such protection. Painted Rocks Lake in Southern Ravalli County is a case in point. With the advent of 500 h.p. jet speed-boats , this has become a problem. (These boats have invaded Painted Rocks.) Situated as this beautiful lake is , between two mountains ; the trapped sound waves echo accross the valley - and down the valley to where our cabin is located . There are two campgrounds bordering the lake - Slate Creek (U.S. Forest Service) & Painted Rocks (Parks Division) ; plus a several cabins and smaller recreation areas.

When sound approaches 100 decibels for a period of time , it affects hearing adversely and negative emotional effects are manifested in susceptible individuals. The noise pollution generated by these super-speed boats in such a setting exceeds levels of 100 decibels. There was a similar problem with early snowmobiles.

Most certainly , Painted Rocks is not a suitable setting for such boating hot-rodders and the Parks Division needs some legal authority to control them . We urge your favourable consideration of House Bill 222.

David B. Lackman

David B. Lackman , Legislative
Lobbyist , Montana Public Health Association

Attachment #13

**CAMPEAU
CRENNEN**
ARCHITECTS & PLANNERS

March 11, 1981

Senator Jack Galt, V. Chairman
Fish and Game Committee
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear Senator Galt,

Please give serious consideration to passing HB-222, "Limiting Noise Emissions from Motorboats and Increasing the Motorboat Identification Number Fee to \$2.00".

As a resident of Lakeside on Hauser Lake, we are plagued with a few very loud boats which are an invasion of privacy, a public nuisance and in many instances a danger to fishermen, swimmers and other boaters.

We have built an underground solar home on the lake shore for solitude and privacy. Most of the conventional motorboats actually enhance our view and do not interfere with our living; however, a few excessively noisy boats make conversation and enjoying music difficult if not impossible.

Were these noise levels encountered on the city streets from passing vehicles, the police would be called. We do not have that recourse and plead for your support in obtaining relief.

Sincerely,

N. J. Campeau

NJC:ck

Residing Int. 1.00 F & C Senate

#13

NAME: JOE CAMPEAU DATE: 3-14 81

ADDRESS: 5550 YORK RD

PHONE: 442 3930

REPRESENTING WHOM? LAKE SIDE LAND OWNERS

APPEARING ON WHICH PROPOSAL: HB 222

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: LOUD BOATS HAVE BECOME
INVASION OF PRIVACY TO RESIDENTS
ON AND NEAR LAKE HAUSER. WE WISH
TO GET ASSISTANCE IN MUFFLING LOUD
MOTORS.



PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

C.W. "Bill" HUBER

DATE:

3-15-81

ADDRESS:

812 HOLTZ LEELEA MT.

PHONE:

442 - 9257

REPRESENTING WHOM?

SELF

APPEARING ON WHICH PROPOSAL:

H/B 222

DO YOU:

SUPPORT?

☒

AMEND?

OPPOSE?

COMMENTS:

Mr. Chairman & Members of the Committee for the record my name is C.W. Bill Huber of Helena. I am representing myself - for the past 10 years our family has enjoyed the thrill and tranquility of riding ^{on bicycles} - and I say more - the Blazing Caecophony of the Hi-Speed. Hi wire mountain bikes this Bill addresses has on ~~many~~ ^{many} occasions startled - shocked and spoiled the silence in riding - But this is only an experience - my personal experience and observation of 10 years ^{of riding} has been that the leader the motorcycle the faster it is driven with utter abandon and disregard of the safety of others - I am sorry to say my ~~present~~ ^{present} of this Hi speed - Hi wire Bikes matches that of the Hi-Speed - Hi wire motorcycle they are a hazard to the safety and comfort of others and I urge your concurrence in this Bill. Thank you.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

John B Balkema

DATE:

3-14-81

ADDRESS:

5585 York Rd

PHONE:

227-6395

REPRESENTING WHOM?

Lakeside Residents

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

☒

AMEND?

OPPOSE?

COMMENTS:

I support this bill as boats that are extremely loud are a nuisance. People have no regard to the time of day. All other motorized vehicles have restrictions and I strongly urge motor boats to have the same laws apply to them. Living right on the lake I feel my privacy is being invaded by the noise.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

- (2) An American Power Boat Association registered motorboat with American Power Boat Association approved numbering testing on the waters of this state between the hours of 10:00 A.M. and sunset; provided that it possesses an annual permit issued by the United States Coast Guard or Coast Guard Auxiliary.

NAME: Dene Hedman DATE: 3-14-81ADDRESS: 204 Central Ave, WhitefishPHONE: 862-2528REPRESENTING WHOM? Montana Boat Racing AssnAPPEARING ON WHICH PROPOSAL: HB 222DO YOU: SUPPORT? AMEND? ✓ OPPOSE?

COMMENTS: Bill not properly tailored
to needs of Montana
Needs cooperation of Boating
people to make workable.

Attachment # 17
House Bill 222

I would like to point out the family aspect of boat racing. It is definitely a sport that involves the whole family. Most of our races are held at locations which have good camping facilities, and therefore attract families for a camping weekend as spectators of the boat races. ^{Some of} Our smallest boats are driven by children as young as 3 or 4 years old. Many of our teenage family members, as well as adults, especially the wives, are involved as officials of the races. I think it's important for our laws to remain in a state which allows us to freely enjoy our chosen family sport, and boat racing is indeed a sport that is always enjoyed by the entire family.

SUGGESTED AMENDMENTS TO HOUSE BILL 222

1. Page 1, line 14 through line 6 on page 2.
Strike: section 1 in its entirety
Insert: "Section 1. Maximum noise emissions from motorboats.
No motorboat may be operated in or upon the waters of
this state if it emits noise that exceeds 86 dbA measured
at a distance of 50 feet from the motorboat except those
motorboats permitted under the provisions of [section 4]."
2. Page 2, line 11.
Strike: "levels"
Insert: "level"
3. Page 2, line 12.
Following: Line 11
Strike: "subsection (2) of"
4. Page 2, line 19 through line 24.
Strike: section 3 in its entirety
Re-number: all subsequent sections
5. Page 2, line 25 through line 16 on page 3.
Strike: section 4 in its entirety
Insert: "Section 4. Exceptions. [Sections 1 through 4]
do not apply to:

(1) a motorboat or boats competing in a regatta that
is sanctioned by the American Power Boat Association,
including those motorboats or boats sanctioned by the
association for testing for not more than 2 days prior
to competition in a regatta;

(2) a motorboat that is:

(a) registered by the American Power Boat Association
and displaying numbering approved by the association; and

(b) authorized by a permit issued on an annual basis
by the department;

(3) a motorboat or airboat operated by legally designated
search and rescue units, law enforcement officers, or per-
sonnel of a federal, state, or local government agency on
emergency duty or in training for emergency duty.

(4) vessels commonly known as air boats when used by
a utility company in the course of business."
6. Page 3, line 22.
Strike: "5"
Insert: "4"
7. Page 3, line 24.
Strike: "5"
Insert: "4"

HOUSE BILL 222 - Amendments - Page 2

8. Page 11, line 2.
Strike: "5"
Insert: "4"
9. Page 11, line 4
Following: "through"
Strike: "5"
Insert: "4"

COMMENTS RECEIVED REGARDING HOUSE BILL 222, "AN ACT LIMITING NOISE EMISSIONS FROM MOTORBOATS, PROVIDING MAXIMUM NOISE LEVELS, REQUIRING TESTING AND CERTIFICATION OF OUTBOARD MOTORS AND MARINE ENGINES...."

Clark Wheeler, telephone 862-5160, Whitefish, opposes HB 222. Telephone call 3/12/81. He is a member of the Montana Boat Racing Association, the Whitefish Lake Boat Club, and the American Power Boat Association. He said that Charlie Abell, Jim Trout, and Gene Headman, would be in Helena 3/14 to testify against the bill.

Commodore Dow Crum, Whitefish Lake Boat Club member, opposes HB 222. Telephone call 3/13/81.

NAME: John Anderson Mrs DATE: 5-19-81

ADDRESS: 7655 124th Ave N, #1, Minneapolis

PHONE: 442-0663

REPRESENTING WHOM? Mont. Agent on the list

APPEARING ON WHICH PROPOSAL: HS 132

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Robert D. Painter, MD DATE: 3-14-81

ADDRESS: 2930 N. Mountain, Phoenix, AZ

PHONE: 442-6450

REPRESENTING WHOM? SELF - Mountain Med. Assn.

APPEARING ON WHICH PROPOSAL: 1572

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: This is the year!

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: W. H. "Dick" Tucker DATE: 3/10/81

ADDRESS: 156 Falmouth Dr. New Bedford

PHONE: 407-6302 449-2040

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: AB-152

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: It is time for this type of law - ?

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME :

DATE :

ADDRESS :

PHONE :

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU :

SUPPORT?

AMEND?

OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Jim Trout DATE: 3/14/81

ADDRESS: Box 695, Whitefish, Mt.

PHONE: 862-4198

REPRESENTING WHOM? APBA

APPEARING ON WHICH PROPOSAL: 222

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: _____

NAME: Charles R. Abell DATE: 3-14-81

ADDRESS: Box 37 Whitfish, MT.

PHONE: 862-3525 - 862-2883

REPRESENTING WHOM? Boat Racing

APPEARING ON WHICH PROPOSAL: HB 222

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: _____

Quality of Boat Racing as a sport in Montana

COMMITTEE ON

DATE

BILL NO.

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppos
Robert J. Van der Kape	Self		X
John Grant	MBRA / APBA		222
Michael J. Grant	MBRA / ARBA		222
Orville Good	MBRA - APBA		222
Katherine J. Good	MBRA - APBA		222
Charles R. Abel	APBA - MBRA		222
David L. Mejias	Barn & Fore Bone Farm W. Mont. Agriculturist		X 152
O. FREDRICK FREY	Self, Western MT Agriculturist		152
Noel Rosetta	Trout Unlimited		806
John L. Nelson		222	152
Joe Campan	Land owner in Lake	222	
John Tucker	Salmon Trout (Self)	152	E
Robert A. Porter D.M.	Helena, Mt. (Self)	152	
John J. Donald	Hon Dist 29	✓ 152	
Clair E. Benson	Self	X 222	
Robert J. Orm	Self	X 222	
John Backer	Self	X 222	
Quella Backer	Self	222	
Bill Huser	Self	✓ 222	
David B. Laskman	MT Public Health Assn. (Lobbyist)	✓ 152	
Mark A. Burre	Med. Hal Chap Trout Unlimited		806
Roy Hudson	Self	222	
Joel A. Shouse	Self		806
Justy Gadsden	State Dept of Health	152	
Eric Holman	Citizen		806
David B. Laskman	MT Public Health Assn. (Lobbyist)	222	

MINUTES OF MEETING
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

MARCH 19, 1981

The Executive Session was called to order by Chairman Smith at 1:10 p.m. in Room 402 of the Capitol.

ROLL CALL: All members of the committee were present with the exception of Senator Severson who was excused. Senator Jacobson arrived at 1:20 p.m.

Also present at the chairman's request were Representative Orval Ellison, sponsor of HB 200, Bob Robinson of the Legislative Fiscal Analyst's office, Terry Williams of the Budget Director's office and Jim Flynn of the Department of Fish, Wildlife, and Parks.

Chairman Smith announced that the purpose of today's meeting is to give the committee an opportunity to consider testimony from the department, the legislative fiscal analyst and the budget director since all three differ in their estimates of revenue which may be expected as a result of the license fee increase in HB 200.

Chairman Smith recognized Bob Robinson of the Legislative Fiscal Analyst's office. Mr. Robinson distributed a memo with several attachments showing the appropriation subcommittee's recommendations and explained the fiscal impact of HB 200 and the methodology used by his office in determining revenue estimates. (Attachment #1)

Chairman Smith recognized Jim Flynn, Director of the Department of Fish, Wildlife, and Parks. Mr. Flynn distributed copies of his tabulations showing the major differences in the Legislative Fiscal Analyst's office and the department on the estimates of number of licenses which may be sold in fiscal years 1982 and 1983. (Attachment #2)

Mr. Flynn said the department has asked for some additional revenues over and above what had come out of the House. Included in this request are 4 FTE's, gasoline money, recovery of the revenue impact of SB 320, and the completion of some partially accomplished capital projects which the legislature has previously authorized. He stated the need to be extremely accurate on revenue estimates if the department is to function at the appropriate level expected by the Legislature. He stated that the department has borrowed money from the Department of Administration to operate the agency because of the cash flow problem. He stated that the agency needs a reserve balance at the end of the year of \$1.2 or \$1.3 million. Mr. Flynn said that he is extremely concerned about the cash situation for the department for the next two years.

Chairman Smith recognized Terry Johnson of the Budget Director's office. Mr. Johnson said that his office used the work papers, figures, and methodology furnished by the Legislative Fiscal Analyst's office. They addressed the sources of licenses that contributed the most revenue to the account and identified approximately 90% of the total revenue.

Chairman Smith opened up the meeting to questions from the committee.

The question was asked about funds to be considered as a result of closing the bird farm at Warm Springs. Mr. Flynn replied that about \$40,000 a year would be realized from that source but that their initial budget request anticipated that source and allowed for it.

The impact of SB 320 was discussed. The House amended the bill to apply to persons 65 and over instead of 62 as initially proposed. This act would not take effect the first year of the biennium, but the second year of the biennium, the impact will be felt.

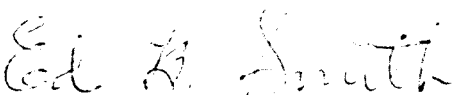
Chairman Smith said that as a result of extensive criticism which he has experienced personally, he requested and received a letter from the Department of Fish, Wildlife, and Parks identifying the misappropriation of funds. He emphasized that this misappropriation of funds and the resultant effects are not reflections on the new director, Mr. Flynn. Senator Smith distributed copies of the letter to those people attending the hearing. The last page of Mr. Flynn's letter was retyped by Senator Smith's office to show a little more plainly the funds involved, and to cite the pertinent section of the law. Mr. Flynn's letter is marked Attachment #3. Senator's Smith's rewrite of the second page is marked Attachment #4.

Senator Eck stated that the majority of the sportsmen contacted were favorable with the bill as originally introduced and can see no problem with giving the sportsmen what they are asking for.

Chairman Smith asked Mr. Robinson and Mr. Flynn to work together on their differences and return to the next meeting of the committee with a proposal.

The committee will reconvene Tuesday, March 24, 1981, at 1:00 p.m.

The meeting adjourned at 2:45 p.m.



SENATOR ED B. SMITH

FISH AND GAME COMMITTEE

Date 3-19-81

Each day attach to minutes.



JOHN D. LAFAVER
LEGISLATIVE FISCAL ANALYST

STATE OF MONTANA
Office of the Legislative Fiscal Analyst

STATE CAPITOL
HELENA, MONTANA 59601
406/449-2986

March 19, 1981

TO: Senator Ed Smith, Chairman
Senate Fish and Game Committee

FROM: Bob Robinson, Senior Analyst *BR*

RE: Appropriation Action on Fish and Wildlife Department Budget
and Fiscal Impact of HB 200 With Committee Amendments.

APPROPRIATIONS

The following table shows appropriation subcommittee recommendations of hunting and fishing license earmarked funds by division.

	<u>FY 1982</u>	<u>FY 1983</u>
Central Services	\$1,668,256	\$1,589,473
Ecological Services	347,426	361,291
Fisheries	1,344,976	1,261,526
Enforcement	2,531,294	2,879,374
Wildlife	925,006	931,412
Parks & Recreation	358,319	386,984
Conservation Ed.	745,709	765,714
Administration	<u>449,976</u>	<u>453,807</u>
Total	\$8,370,962	\$8,629,581

If the above expenditures are approved and a 12 percent pay plan is added, the impact on the license earmarked revenue fund (02131) would be a reduction of the fund balance to a negative \$982,602 by the end of fiscal 1983. The department needs a fund balance of \$800,000 to \$1,000,000 to operate effectively.

#12

Fish and Game License ERA
02131

	<u>FY 1981</u>	<u>FY 1982</u>	<u>FY 1983</u>
Beginning Balance		\$1,100,000	\$ 566,648
Revenue		<u>8,606,436</u>	<u>8,687,185</u>
Total Available		\$9,706,436	\$9,253,833
Expenditures		(8,370,962)	(8,629,581)
Pay Plan		<u>(768,826)</u>	<u>(1,606,854)</u>
Ending Balance		\$ 556,648	\$ (982,602)

If HB 200 is approved as amended in committee the license fee earmarked account would have a balance of approximately \$1.157 million at the end of fiscal 1983.

	<u>FY 1982</u>	<u>FY 1983</u>
Beginning Balance	\$1,100,000	\$ 1,187,544
Revenue	<u>9,227,332</u>	<u>10,206,029</u>
Total Available	\$10,327,332	\$11,393,573
Expenditures	(8,370,962)	(8,629,581)
Pay Plan (12%)	<u>(768,826)</u>	<u>(1,606,854)</u>
Ending Balance	\$1,187,544	\$1,157,138

Fiscal Impact of HB 200 as Amended

HB 200 as amended will increase license fee revenue \$1.51 million per year when it is fully implemented in fiscal 1983. Most license increases won't go into effect until fiscal 1983. The conservation card increase and the drawing fee go into effect in fiscal 1982, generating an additional \$620,896. All estimates, except those starred, assume license sales will drop ten percent, as has been the past experience, when the increases go into effect.

#12

If one assumes the number of license sales rebounds from the ten percent drop the following year, fiscal 1984, the proposed bill would generate an additional \$472,000 over and above the fiscal 1983 increase.

Fiscal Impact of HB 200 as Amended in Committee

Bill Section #	-----1982-----				-----1983-----			
	No. Sold	Current Revenue	Proposed Revenue	Difference	No. Sold	Current Revenue	Proposed Revenue	Difference
1. Replace Lost Licenses	3,295	\$ 9,041	\$ 16,475	\$ 7,434	3,295	\$ 9,041	\$ 16,475	\$ 7,434
2. Conservation Cards								
Resident	291,620	291,620	524,916	233,396***	298,521	298,521	537,337	238,816
Nonresident	100,000	100,000	180,000	80,000***	101,000	101,000	181,800	80,800
3. Fishing-Resident	183,859	919,295	992,838	73,543	187,021	935,105	1,009,913	74,808
4. Fishing-Nonres. Season	17,283	345,660	466,641	120,981	18,194	363,880	491,238	127,358
5. Fishing-Nonres. 2-day	142,570	285,140	570,280	285,140*	141,937	283,874	567,748	283,874*
6. Paddlefish	4,000	-0-	12,000	12,000*	4,000	-0-	12,000	12,000*
7. Game Bird-Resident	62,547	250,188	281,461	31,273	63,252	253,008	284,634	31,626
9. Turkey	4,000	8,000	12,000	4,000*	4,000	8,000	12,000	4,000*
10. Deer - Resident	122,000	854,000	878,400	24,400	125,000	875,000	900,000	25,000
Elk - Resident	91,630	733,040	742,203	9,163	95,534	764,272	773,825	9,553
Bear - Resident	10,100	60,600	72,720	12,120	10,500	63,000	75,600	12,600
11. Nonres. Big Game								
Old	17,000	3,825,000			17,000	3,825,000		
New	15,000		3,750,000	(75,000)*	15,000		3,750,000	(75,000)*
Nonres. Deer only	2,000		200,000	200,000*	2,000		200,000	200,000*
Nonres. Elk only	2,000		300,000	300,000*	2,000		300,000	300,000*
15. Moose - Nonres.	12	1,800	2,100	300*	12	1,800	2,100	300*
Mtn Goat - Nonres.	22	3,300	3,850	550*	22	3,300	3,850	550*
Mtn Sheep - Nonres.	300	45,000	52,500	7,500*	300	45,000	52,500	7,500*
Grizzly Bear-Nonres.	5	750	875	125*	5	750	875	125*
19. Drawing Fee	71,500	50,000	357,500	307,500***	71,500	50,000	357,500	307,500*
22. Increase in Agent Fees		(130,000)	(260,000)	<u>(130,000)</u>		(130,000)	(260,000)	<u>(130,000)</u>
Total Increase				\$1,504,425				\$1,518,844
Effective Increase				\$ 620,896***				\$1,518,844

*Assumes no decline in licenses sold due to fee increase.

***Proposed changes that go into effect in fiscal 1982.

Licenses Sold by License Year

Actual 1970-1979
Estimated 1980-1983

	<u>Conservation Cards</u>	<u>Fishing Resident</u>	<u>Fishing Non-Res. Season</u>	<u>Fishing 1/Day Non-Res. 2/Day</u>	<u>Elk Resident</u>
1970	\$210,096	\$142,079	\$ 6,968	\$130,024	\$72,538
1971	217,728	148,566	7,457	145,251	72,788
1972	225,104	154,478	7,925	170,148	74,916
1973	235,699	160,510	8,640	169,876	82,729
1974	230,267	157,926	9,636	136,816	82,512
1975	230,759	158,368	10,286	135,253	79,675
1976	252,248	167,885	11,865	150,393	68,126
1977	256,721	168,317	13,250	154,576	72,466
1978	257,704	170,676	14,100	153,325	75,557
1979	282,615	172,645	14,396	127,469	80,108

1980	62,180	177,469	15,461	143,835	78,307
1981	284,720	180,698	16,372	143,202	87,728
1982	291,620	183,859	17,283	142,570	91,630
1983	298,521	187,021	18,194	141,937	95,534

221

Major Differences
Legislative Fiscal Analyst
 and
Department of Fish, Wildlife and Parks
Estimates of Number of Licenses Sold

	-----1982-----			-----1983-----		
	<u>LFA</u>	<u>FWP</u>	<u>Difference</u>	<u>LFA</u>	<u>FWP</u>	<u>Difference</u>
Resident Conservation	291,620	270,981	20,639	298,521	274,504	24,017
Resident Fishing	183,859	174,461	9,398	187,021	175,158	11,863
Elk	91,630	81,634	9,996	95,534	81,634	13,900
Nonres. Season Fishing	17,283	14,001	3,282	18,194	13,840	4,354
Nonres. 1-Day Fishing	142,570	111,309	31,261	141,937	96,951	44,986
Loss of Deer/Elk Drawing Fee	-0-	51,927	51,927	-0-	51,927	51,927

MONTANA HUNTING AND FISHING LICENSE SALES FOR 10-YEAR PERIOD

AS OF APRIL 30 EACH YEAR

<u>LICENSE TYPE</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>*1980</u>
Sportsman	553	611	924	1,391	1,697	2,178	2,589	2,127	2,106	2,691	2,330	3,340
Res. Conservation	204,112	210,096	217,728	225,104	235,699	230,267	230,541	252,248	256,721	257,407	282,615	64,893
Res. Fishing	141,347	142,079	148,566	154,478	160,510	157,926	158,368	167,885	168,307	170,676	172,654	173,766
Res. Bird-Adult	54,192	53,931	54,173	57,487	59,965	54,086	55,164	55,908	61,358	60,030	60,996	58,478
Res. Bird-Youth	4,542	4,687	4,748	4,942	5,081	4,696	4,366	4,458	4,353	4,230	4,082	3,838
N.R. Conservation	73,244	80,759	87,744	97,465	99,128	87,328	87,526	99,778	105,146	107,360	97,795	99,225
N.R. 1-Day Fishing	109,789	130,024	145,251	170,148	169,876	136,816	135,253	150,393	154,576	153,325	127,469	127,794
N.R. 6-Day Fishing	23,582	24,007	25,207	26,961	26,424	16,275	17,451	19,721	21,549	22,838	23,427	21,418
N.R. Season Fishing	6,828	6,968	7,457	7,925	8,640	9,636	10,286	11,865	13,250	14,100	14,396	14,164
N.R. Season Bird	792	1,046	1,191	1,432	1,352	1,339	1,451	1,714	2,240	2,157✓	2,480	2,339
Elk-Adult	70,236	72,538	72,788	74,916	82,729	82,512	79,675	68,126	72,466	75,557	80,108	81,607
Elk-Youth	4,585	4,678	4,573	4,795	5,345	5,483	5,323	5,126	4,967	4,913	4,903	4,901
Deer A-Adult	114,384	120,236	123,051	126,384	140,375	132,085	126,226	102,327	109,402	109,290	119,260	126,626
Deer A-Youth	10,569	11,071	11,388	11,704	12,484	12,356	11,274	9,659	9,308	8,498	8,439	8,522
Deer B-Adult	25,373	31,052	29,010	34,976	48,871	40,348	23,366	-	82	471	1,197	6,236
Deer B-Youth	2,165	2,617	2,486	2,785	3,904	3,235	1,682	-	-	-	-	-
Res/N.R. Turkey	1,592	1,262	1,679	2,107	1,900	2,335	3,790	3,014	3,224	3,350	3,900	3,708
Pioneer-Conservation	9,901	11,760	13,477	14,587	18,204	23,486	20,567	-	-	-	-	-
Pioneer	4,627	3,587	3,331	3,001	3,473	3,665	3,085	-	-	-	-	-
Nonres. Big Game	8,612	9,501	11,973	13,970	19,230	20,560	25,584	12,689	13,767	16,553	17,000	17,000
Res. Mtn. Sheep	249	342	382	427	589	607	671	669	545	875	809	759
Res. Mtn. Goat	699	835	696	616	588	570✓	523	507	440	430	401	359
Res. Grizzly	1,473	1,769	746	685	586	665	716	389	411	497	472	537
Grizzly Trophy	36	13	22	14	15	18	13	11	5	7	11	12
Res. Blk/Brn Bear	-	-	2,547	4,263	6,268	6,616	6,805	7,251	7,866	8,305	9,694	9,777
Res. Mtn. Lion	-	-	-	-	241	259	286	517	574	643	614	787
N.R. Mtn. Lion	-	-	-	-	70	92	120	70	102	123	111	61
N.R. Mtn. Sheep	128	172	174	174	227	261	325	313	176	339	288	218
N.R. Mtn. Goat	228	247	217	48	47	50	44	39	27	26	22	15
N.R. Grizzly	164	211	222	261	224	253	270	124	102	119	112	123
Bow and Arrow	3,390	4,647	5,370	6,528	10,342	9,875	9,240	7,809	9,239	10,424	11,304	13,683
N.R. Blk/Brn Bear	69	60	337	531	708	899	1,074	58	45	81	108	603
Res. Antelope	19,227	21,439	23,151	26,604	27,813	24,494	23,189	25,087	25,059	20,334	15,855	17,146

*Partial Year: May 1, 1980-February 28, 1981

#22

<u>LICENSE TYPE</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>*1980</u>
N.R. Antelope \$10	1,460	1,374	1,826	2,521	1,493	4,179	5,136	-	-	-	-	-
N.R. Antelope \$35	1,281	1,556	2,014	1,854	1,402	21	10	-	-	-	-	-
N.R. Antelope \$36	1,154	1,735	1,663	1,292	1,709	1,888	1,075	-	-	-	-	-
N.R. Antelope \$50	-	-	-	-	-	-	-	2,080	2,195	1,975	963	1,233
N.R. Deer \$35	543	695	519	166	128	54	9	-	-	-	-	-
N.R. Deer \$36	7,278	9,634	13,222	13,383	10,617	7,322	2,001	-	-	-	-	-
N.R. Deer \$50	-	-	-	-	-	-	-	1,011	-	1	314	651
Res. Moose	637	676	676	641	756	762	752	698	584	576	563	532
N.R. Moose	30	32	25	32	42	39	39	19	18	12	12	6
N.R. Bird/Fish	-	-	-	-	-	-	-	1,718	960	994	951	-
N.R. Spring Bear	-	-	-	-	-	67	181	287	412	613	1,057	-
Nongame Cert.	-	-	-	-	-	-	-	134	44	49	120	37
Deer/Elk Per. Fee	-	-	-	-	-	-	-	33,259	37,686	43,742	53,312	50,528
TOTALS	<u>909,071</u>	<u>967,947</u>	<u>1,020,554</u>	<u>1,096,598</u>	<u>1,168,752</u>	<u>1,085,603</u>	<u>1,056,046</u>	<u>1,049,088</u>	<u>1,089,312</u>	<u>1,103,611</u>	<u>1,120,144</u>	<u>914,922</u>

*Partial Year: May 1, 1980-February 28, 1981

3/18/81
vc

Major Differences
Legislative Fiscal Analyst & Dept. of Fish, Wildlife & Parks
Revenue Estimates

	-----1982-----		-----1983-----		
	LFA	FWP	Additional Impact of House Approved Fees	Additional Impact of House Approved Fees	
Resident Conservation	291,620-270,981 =	20,639x\$1 = \$20,639	20,639x\$1 = \$20,639	298,521-274,504 = 24,017x\$1 = \$24,017	24,017x\$1 = \$24,017
Resident Fishing	183,859-174,461 =	9,398x\$5 = 46,990		187,021-175,158 = 11,863x\$5 = 59,315	11,863x\$1 = 11,863
Elk	91,630- 81,634 =	9,996x\$8 = 79,968		95,534- 81,634 = 13,900x\$8 = 111,200	13,900x\$1 = 13,900
Nonresident Season Fishing	17,283- 14,001 =	3,282x\$20 = 65,640		18,194- 13,840 = 4,354x\$20 = 87,080	4,354x\$10 = 43,540
Resident 1-Day Fishing	142,570-111,309 =	31,261x\$2 = 62,522		141,937- 96,951 = 44,986x\$2 = 89,972	44,986x\$2 = 89,972
Loss of Deer/Elk Drawing Fees*			51,927		51,927
		\$275,759	\$72,566	\$371,584	\$235,219

Total for 1982 = \$348,325

Total for 1983 = \$606,803

*Not considered by the LFA

Summary: 1982 = \$348,325

1983 = 606,803

Total for Biennium = \$955,128

AMENDMENTS TO HB 200

1. Page 2, line 22:

Following: "\$3"

Strike: "\$2"

Insert: "\$3"

2. Page 3, line 3:

Following: "~~\$1~~0"

Strike: "\$6"

Insert: "\$7"

3. Page 6, line 8:

Following: "\$325"

Strike: "\$250"

Insert: "\$275"

END

Ulrichman J

STATE OF MONTANA



DEPARTMENT OF

FISH AND GAME

Helena, MT 59620

February 4, 1981

Senator Ed Smith, Chairman
Senate Fish & Game Committee
Helena, MT 59620

Dear Senator Smith:

Yesterday you requested information about the following items: (1) computer processing expenditures by the department for the last fiscal year, and (2) an explanation of the "holdback" used by the department in fiscal years 1980 and 1981. This information is provided below.

Computer Services Division Expenses

Attached is a breakdown of the actual Computer Services Division expenditures for the Department of Fish, Wildlife & Parks for fiscal year 1980. These expenditures were paid to the Department of Administration/Computer Services Division. Please note that the average monthly expenses for the department are about \$29,000; average monthly expenses for Centralized Services are about \$21,000. Source of this information is the monthly bills paid to the Department of Administration. It is important to note that, although computer operations expenses for Centralized Services were \$257,437 for FY 80, these expenses are scheduled to decrease by nearly \$100,000 per year to \$160,204 in FY 82 and \$168,715 in FY 83 under the executive budget proposal.

"Holdback" Authority

As you requested, listed below are the amounts of "holdback" authority for the department for both FY 80 and FY 81 and the divisions that used this authority. The amount of "holdback" authority was calculated at 5% of the biennial appropriations for FY 80 and FY 81. This amounted to \$648,028 in FY 80 and \$656,544 in FY 81.

I would like to emphasize to you that the department stayed within its legislative appropriations by accounting entity in utilizing these appropriated amounts. It is my understanding that the "holdback" authority concept was used in FY 80 as a management tool by the previous director to fund high priority projects within the department. In FY 81, however, the purpose of the "holdback" changed to conserve actual cash outlays out of the hunting and fishing license revenue account.

3a

Senator Ed Smith

2

February 4, 1981

Use of "Holdback" Authority

	FY 80		FY 81	
	<u>"Holdback"</u> <u>In</u>	<u>"Holdback"</u> <u>Out</u>	<u>"Holdback"</u> <u>In</u>	<u>"Holdback"</u> <u>Out</u>
Centralized Services	\$ 94,078	\$312,909	\$102,202	\$161,905
Ecological Services	48,335	12,700	50,007	2,949
Fisheries	107,169	12,700	113,293	0
Enforcement	120,539	46,500	127,498	39,584
Wildlife	127,790	131,900	139,311	2,984
Parks	95,401	0	94,617	0
Conservation Education	36,091	89,000	4,778	3,500
Administration-Special Staff	18,625		24,838	47,000
Unused Balance		<u>55,019</u>		<u>398,622</u>
Total	\$648,028	\$648,028	\$656,544	\$656,544

If I can be of any further assistance, please don't hesitate to call on me.

Sincerely,

James W. Flynn
Director

36

ATTACHMENT

Department of Fish, Wildlife, & Parks

Actual Computer Services Division Expenses - FY80

Accounting & Finance Bureau (Centralized Services Division)	\$17,625
---property control system, warehouse inventory system, vehicle accounting system, budget system, and microfiching budget reports	
General Licensing (Centralized Services Division)	\$139,075
---includes dealer accounting and providing lists of license buyers to Wildlife for hunter harvest surveys	
Special Licensing (Centralized Services Division)	\$100,737
---includes all computer operations expense to process drawing applications according to law and processing of nonresident big game licenses.	
Wildlife Division	\$18,606
---includes computer analysis of hunter harvest survey	
Test and Debug Reprogram of Drawings (Centralized Services Division)	\$54,461
---this is a one-time development cost	
Fisheries Division	\$16,385
---includes fishermen log analysis, lake and stream inventory, fish population statistics and fishery data bank	
Enforcement Division	\$ 5,497
---includes program to provide lists of hunter safety course graduates and a system to report game violators	
Miscellaneous	\$ 35
	<u>\$352,421</u>

USE OF "HOLDBACK" AUTHORITY

These columns show the 5% taken out of each division's appropriated budget.

These columns show the 5% put back into each division's budget.

This column shows misappropriated funds.

Division	FY80	FY81	FY80	FY81	
Centralized Services	94,078	102,202	312,909	161,905	+ 278,534
Ecological Services	48,335	50,007	12,700	2,949	- 82,693
Fisheries	107,169	113,293	12,700	0	- 207,762
Enforcement	120,539	127,498	46,500	39,584	- 161,953
Wildlife	127,790	139,311	131,900	2,984	- 132,217
Parks	95,401	94,617	0	0	- 190,018
Conservation Education	36,091	4,778	89,000	3,500	+ 51,631
Administration Special Staff	18,625	24,838	0	47,000	+ 3,537
Unused Balance			55,019	398,622	+ 453,641
Total	648,028	656,544	648,028	656,544	

You will note on lines 2 through 6 a total of \$774,643 was taken out of Ecological Services, Fisheries, Law Enforcement, Wildlife, and Parks Divisions. You will then notice that on line 1, \$278,543 additional dollars were put into Centralized Services. On lines 7 and 8, \$55,168 additional dollars were placed into Conservation Services and Special Administrative staff. Line 9, Unused Balance was \$453,641. These actions had neither Executive or Legislative approval, which is in violation of State Law. (Chapter 618-17-8-103, 17-8-104, Montana Constitution C58 - Section 12.)

Attachment #4

BILLINGS ROD AND GUN CLUB

P. O. BOX 33
BILLINGS, MONTANA

3-16-'81

Senator Ed Smith
Fish & Game Committee
Capitol Station
Helena, Montana 59620

Dear Senator Smith,

I don't know what the hold up was, but your letter dated March 6, just arrived on Thursday afternoon. It came the same day the hearing was held.

We have been following the news regarding your committee and the Fish & Game Dept. We agree with you completely in letting the department know that you would not countenance any more shuffling of funds within the department as was effected last year. I do beleive, however, that Jim Flynn, our new director, will do a much more efficient job than his predecessor. I have met him and am favorably impressed.

As to license fee increases, we have mixed emotions.....we are not altogether convinced that they must have the total increase, but do realize that because of inflation, they must have a reasonable increase. For the Wardens, gasoline costs are more, and the cost of replacing cars or trucks is out of sight. I would say that they should be granted some increases and admonished that they must handle their money wisely. Lord knows that those of us in business have to in order to survive.

I noticed in the paper that your committee was going to mull this matter over before you made your recommendations. I think this is a smart move. Let these people know that their computer programs pertaining to special seasons, must be simplified. Let them know also, that we're not too much in favor of any more wild and costly ideas such as the plastic card fiasco.

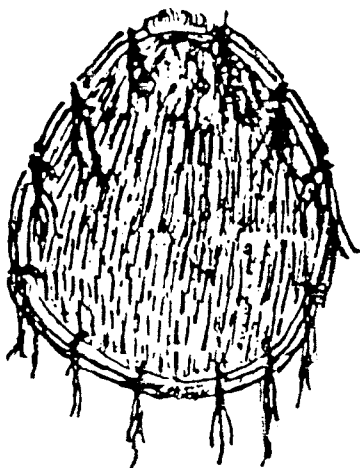
The Sportsmen of this area are a little upset to know that their license fee money held in the banks does not bring interest dividends to the department. This would help a great deal towards keeping the department in the black. After all, this is not tax money, but our money paid for our licenses. Surely the department should be allowed the use of these funds.

I'll sign off for now, but not before I tell you that your bill regarding penalties for shipping out parts of illegally killed game animals, was well received down here. The FW&P Dept. must have some measure of control on the elk antler traffic, but we also feel that they should be provided with some method of controlling game farms. This is going to be a real problem area in the future.

Many thanks for your interest, and your honest desire to get the FW&P Dept. back on the track.

Sincerely,





MONTANA TRAPPERS ASSOCIATION

BOX 29

SEELEY LAKE, MT. 59868

Working today for a tomorrow in trapping.
Furbearers are a RENEWABLE NATURAL RESOURCE.

March 19, 1981

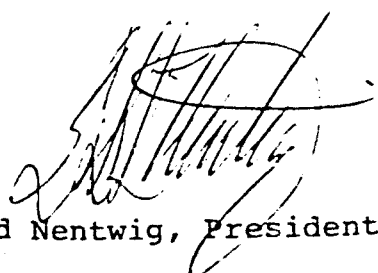
WITH CONCERN TO HB 200 PENDING BEFORE YOU, WE -- THE MONTANA TRAPPERS ASSOCIATION (MTA) -- ARE ADDRESSING SECTION 14 AS DELETED BY THE HOUSE. WE ASK YOU, AS A LEGISLATOR, TO SUPPORT THE HOUSE ACTION AND CONTINUE TO REJECT SECTION 14, AS PROPOSED BY THE DEPARTMENT OF FISH, WILDLIFE AND PARKS (FWP), TO INCREASE TRAPPER LICENSE FEES 150% (from \$10.00 to \$25.00) BASED ON THE FOLLOWING FACTS.

1. FOR THE LAST 3 YRS. THE MTA, A 700 MEMBER STATEWIDE GROUP OF LICENSED TRAPPERS, HAS TRIED TO WORK COOPERATIVELY WITH THE FWP BY PROVIDING HARVESTOR-FIELD OBSERVER DATA FOR CONSIDERATION AND TO ASSIST IN FURBEARER MANAGEMENT DECISIONS. OUR DATA HAS PRODUCED A 75% SELF-IMPOSED HARVEST RESTRICTION FOR TRAPPERS YET OUR EFFORTS HAVE RECEIVED ONLY TOKEN RESPONSE FROM FWP.
2. WE FEEL MISAPPROPRIATION OF ENFORCEMENT FUNDS HAS HAMPERED BEAVER CONTROL AND TRANSPLANT PROBLEMS. WARDENS, WITHOUT FUNDS, TELL LAND-OWNERS TO SHOOT THE BEAVER AND KEEP THEIR MOUTHS SHUT. THIS IS AN EXAMPLE OF THE DEPARTMENTS INABILITY TO FUNCTION PROPERLY, TO KEEP ITS FINANCES IN ORDER AND END UP WITH THE FURBEARER RESOURCE ON THE SHORT END OF THE STICK.

3. TRAPPERS SAVE THE TAXPAYERS OF MONTANA A CONSIDERABLE SUM OF MONEY BY PROVIDING PREDATOR, NON-GAME, AND FURBEARER POPULATION CONTROL. IF TRAPPING BECOMES LICENSED-OUT OF BUSINESS THEN GOVERNMENT AGENCIES WILL HAVE TO IMPLEMENT A COMPLETE POPULATION CONTROL EFFORT FOR RABIES, TULERAMIA, & LIVESTOCK LOSSES.

4. THE MTA HAS REQUESTED THE DEPARTMENT OF FWP TO PROVIDE THE MTA WITH A BREAKDOWN OF MONIES SPENT FOR FURBEARER MANAGEMENT FROM 1977 to 1981, as WELL AS THEIR PROJECTED BUDGETS FOR 1981 through 1984. TO DATE, THE FWP HAS BEEN UNABLE TO PROVIDE A SATISFACTORY ACCOUNTING OF FUNDS THEY HAVE RECEIVED AND EXPENDED.

IN CONCLUSION, THE FWP'S BID FOR LICENSE FEE INCREASES AND THEIR "NEW DEALS" SHOULD BE TABLED AT THIS TIME. MANAGEMENT FIRST, THEN THE MONTANA TRAPPERS ASSOCIATION WILL SUPPORT ADDITIONAL MONEY ^{to} FUND THESE MANAGEMENT PROGRAMS.



Edd Nentwig, President, MTA

This petition opposes the proposed increase of liscence fees, without proper justification.

Vernon W. Schubert	Harlowton
Kenneth A. Thompson	Harlowton
Carl E. Maggott	Harlowton
Brian D. Maggott	Harlowton
Lawrence L. Moore	Harlowton
James A. Krause	"
Tim Belton	"
Sam L. Reynolds	Harlowton
Darwin Reynolds	"
Robert Jones	"
Frederick	Harlowton
Alan L. Hinkel	Harlowton
David W. Sorensen	Harlowton, MT
Phil Kater	Harlowton
Robert A. Wilkins	Harlowton
John A. Wilkins	Harlowton, MT
Patty R. Wilkins	Harlowton
John Eckman	"
Wallace C. Marking	Harlowton MT
Bruce Marking	Harlowton MT
W. L. Carson	Harlowton MT
Donald J. Dellow	Harlowton MT
Stanley C. Wilkins	HARLOWTON MT
Edith Wilkins	"
Ag. Olsen	Two Dot, MT
John Miller	Harlowton
Paul Brown	Harlowton
Tom Tovar	"

FURTHER RECORD OF LETTERS AND PHONE CALLS RECEIVED BY SENATOR SMITH
REGARDING HOUSE BILL 200-LICENSE FEE INCREASE
FOR THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

Attachment to Minutes of March 19, 1981--

PROPOSERS

Jack Hayne, Dupuyer (letter dated 10 March 1981)
Fred F. Bahnson, M.D., 300 North Willson Avenue, Bozeman (letter dated 10 March 1981)
Jerry Piotrowski, President, Anaconda Sportsmen's Club, Box 1375, Anaconda (letter dated 8 March 1981)
Roland Robertson, Secretary, Red Lodge Rod and Gun Club, P.O. Box 506, Red Lodge, (mailgram dated 5 March 1981)
Robert W. Hall, 2114 Mariposa Lane, Billings, (letter 23 February 1981)
Jack Atcheson, 3210 Ottawa Street, Butte (letter 20 February 1981)
Harry A. Knowlton, Secretary, Noxon Rod and Gun Club, P.O. Box 1491, Noxon (letter dated 18 February 1981)
Dr. John P. Weigand, P.O. Box 764, Belgrade (letter 10 February 1981)
John H. Ormiston, NW 380 Blodgett Camp Road, Hamilton (letter post-marked 13 February 1981)
The Wildlife Society, Montana Chapter, NW 380 Blodgett Camp Road Hamilton (letter dated 14 February 1981)
John S. Gilpatrick, Box 366, Hilger, (letter dated 12 March 1981)
Rich Dean, Teton County Sportsmen's Association, Choteau (letter dated 14 February 1981)

OPPOSERS

Dan Neal, 321 27 St, N.W., Great Falls (letter dated 14 February 1981)
Earl Butler, Box 623, Gibson Route, Big Timber (letter dated 15 March 1981 and newsclippings)

10 March 1981

Sen. Ed Smith
State Senate
Helena, Mt.

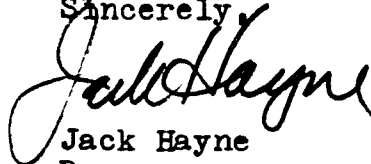
Dear Senator Smith,

We are writing in regard your request on input concerning the proposed license fee increases proposed by the Department.

In a rough poll of the residents of this area and members of the Dupuyer Sportsmen, I think it could be said that the consensus is that they favor the House passed schedule. Most people know that inflation calls for more money but would be opposed to the schedule proposed by the Department.

A statement most commonly heard goes something like this, "If we give them all they want all they will do is buy more ranch land." I think it would be a fair assessment of the feeling toward the Department in this area that someone should closely oversee all land purchases made by the Department.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jack Hayne". The signature is fluid and cursive, with the first name "Jack" being more prominent and the last name "Hayne" written in a more connected, flowing style.

Jack Hayne
Dupuyer
Montana

FRED F. BAHNSON, M.D., P.C.
300 NORTH WILLSON AVENUE
BOZEMAN, MONTANA 59715
TELEPHONE (406) 587-4506

March 10, 1981

Senator Ed Smith
Chairman, Fish & Game Commission
State Capital Bldg.
Helena, Montana 59601

Dear Senator Smith;

I am writing concerning two House Bills.

The first is House Bill 200, concerning fishing license fees in the State of Montana. Being an avid fisherman and hunter, I strongly support the increase in fishing license fees for the privilege of enjoying the outstanding opportunities of fishing and hunting in Montana. I support the increase to \$7.50, and \$10.00 over the next two years for State Fishing License. This is, indeed, a bargain, and the Fish & Game Dept. should not be deprived of necessary funds to manage them properly. We have too much at stake in our State Fishing & Hunting opportunities to be unrealistic with license fees.

Concerning House Bill 806, I am against using any of the fishing access program fees for other parts of management other than fishing access. Rather than deleting the access program, I believe license fees should be increased. Again, the minimal price that Montanans pay for fishing and hunting should be increased in accordance with the need to protect and supervise the outstanding opportunities we have in our State.

I greatly appreciate your interest, Senator Smith.

Best wishes,



Fred F. Bahnson, M.D.

FFB/jf

cc: Senator Jack Galt
Senator Judy Jacobson
Senator Mike Anderson
Senator Paul Boylan
Senator Dorothy Eck

ANACONDA

SPORTSMEN'S CLUB

OFFICE OF

BOX 1375, ANACONDA, MONT. 59711

President

Mar 8/81

Dear Senator,

The legislature certainly is not representing the voters. I have quite a few letters.

The fish and game increases are one. You can operate a state department on fees just ten or more years ago. How would this apply to your income?

Please don't blame the department for increasing funds. Don't the state administration responsible for this?

Let's get the fees back to the department's recommendations.

Yours truly

Jerry Pitman

ROLAND R. ROBERTSON SECRETARY
PO BOX 506
RED LODGE MT 59068



Mailgram



4-043669S064 03/05/81 ICS IPMMTZZ CSP HELB
4064462804 MGM TDMT RED LODGE MT 76 03-05 0427P EST

7 SENATOR ED B SMITH, CHAIRMAN FISH AND GAME
COMMITTEE MONTANA STATE SENATE
CAPITAL BLDG
HELENA MT 59601

DEAR SENATOR SMITH, THE RED LODGE ROD AND GUN CLUB MEETING IN REGULAR
SESSION DID ON MARCH 2 1981 PASS A MOTION TO REQUEST THAT YOUR
COMMITTEE PASS HB200 AND THAT THE APPROPRIATION FOR ENFORCEMENT OF
FISH AND GAME LAWS BE INCREASED FOR THE FOLLOWING BI-ANNUM. THANK YOU

ROLAND R. ROBERTSON SECRETARY
PO BOX 506
RED LODGE MT 59068

1628 EST

MGMCOMP MGM

February 23, 1981

Senator Edward Smith
Capitol Station
Helena, Montana 59601

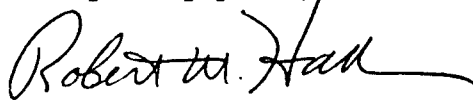
Dear Senator Smith:

You are presently deliberating the merits of the Fish & Game Department budget and funding measures. I solicit your support in the acceptance of the Department's requests. Certainly the people within the Department can be relied upon to provide the best information as to its needs.

Wildlife is one of Montana's prime resources and as such must receive proper attention and funding. A 30% funding reduction is unrealistic.

License fees will have to increase. Every item the sportsman uses has increased in price many times. The few extra, once a year, license dollars that will allow proper funding of the Fish & Game Department is a proposition worth our support.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Hall", with a long, sweeping horizontal line extending to the right.

Robert W. Hall
2114 Mariposa Lane
Billings, Montana 59102

TO

FROM

Jack Atcheson & Sons, Inc

INTERNATIONAL HUNTING, FISHING & PHOTOGRAPHIC CONSULTANTS & TAXIDERMISTS

2210 Ottawa Street - Suite, Montana 59701
Telephone 406-792-3488 406-792-3470

CABLES - "ATCHSAFARI"

SUBJECT:

H B 200 Fish & Game

DATE: FEB 20 81

FOLD ↑

Even though they are wasteful I think
we should support the increase in appropriation
if we don't - it will hurt the Dept. of F&G
But it will hurt the sportsmen even
worse, maybe we're all a bit wasteful if
we look at ourselves

PLEASE REPLY TO →

SIGNED

Thanks
Jack Atcheson

REPLY

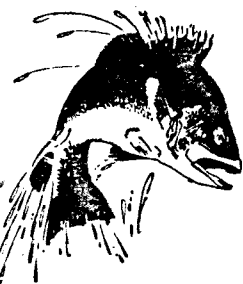
I don't mean to say I think the Dept is
all good - not any Government Dept is but
we the sportsmen will have a lot less I'm
afraid.

DATE:

SIGNED

THIS COPY FOR PERSON ADDRESSED

GRAYARC CO., INC., BROOKLYN, N. Y. 1123



Noxon Rod & Gun Club

NOXON, MONTANA
February 18, 1981



The Honorable Ed Smith
Montana State Senate
The Capitol
Helena, Montana 59601

RE: Proposed Fish and Game
License Fee Increases

Dear Senator Smith:

The Noxon Rod and Gun Club would like to support the proposed license fees scheduled for the 1982 season with the exception of the rather high out-of-state mountain lion fee. Due to the fact that the out-of-state fee in Idaho is so much lower we feel that the Montana fee should be more in accord with the surrounding areas.

We would also like to see any surplus revenue received from license fees or other means be applied to the law enforcement division of the Fish and Game Department. Sanders county, particularly the western end, abounds with all of the big game available in the state of Montana with the exception of the antelope. We feel that since our area is so large our game warden really needs an extra hand due to the increased pressure on the game caused by poachers.

We hope you will take our views into consideration. Thank you for your attention to this matter.

Sincerely yours,

Harry A. Knowlton, Secretary
Noxon Rod & Gun Club
P. O. Box 1491
Noxon, Montana 59853

Mr. Ed Smith, Chairman
Senate Fish and Game Committee
Helena, Montana 59601

February 10, 1981

Dear Senator Smith and Committee Members:

I am writing my concerns for House Bill 200, the request by the Montana Fish, Wildlife and Parks Department for increases in hunting and other license fees.

I am primarily a duck and goose hunter, although I also hunt most upland game birds, deer and elk.

As a wetland hunter, I pay Montana \$1 for a conservation license and \$4 for a game bird license, plus I pay the federal government \$7.50 for a migrating waterfowl stamp. Although I do all of my hunting in Montana, the federal government gets 50% more money than Montana does, since I do all of my wetland hunting on a state wetland area, Montana is being short-changed in meeting my particular hunting needs.

In 1980, I made 2 hunting trips; I spent \$80 for gasoline + oil, \$66 for motel rooms, and \$40 for food. Of my total \$198.50 immediate expenses, only 20.5% went to the Montana Department upon which I depend for my hunting. The majority of my money (\$156) went to private businesses in Montana. Those expenses are underestimates since I use a \$350 shotgun and \$55 rubber waders, shoot \$30-\$50 worth of shotgun shells, and maintain a \$300 boat and \$150 golden retriever plus other assorted accessories in my hunting.

Personally I enjoy the hunting Montana offers me at such low cost, but I am realistic enough to know that Montana and its Fish, Wildlife and Parks Department are being short-changed by low hunting fees. I would not object to paying double the current bird hunting license fee, nor even to an additional state duck stamp fee. After all, I am the main beneficiary of the services provided, even though private businesses get most of my money.

Therefore, I urge your support and vote for HB200.

Sincerely,
Dr. John P. Harginal
P.O. Box 764

Bozeman Montana 59714

Senator Edward Smith
Capitol Station
Helena MT 59620

Dear Mr. Smith:

I have read about and heard on radio the recent actions of the Subcommittee you chair, regarding the organization and budget of the Department of Fish, Wildlife and Parks. I abhor those actions.

I do not believe the wildlife resources of the State of Montana can be intelligently managed in the long term without a strong information and education program, aimed primarily at schools and young people. I do not believe Regional Coordinators have either the expertise or aptitude to carry out these essential programs.

I also believe Wardens should be Wardens and Biologists, biologists. Both are essential to management of the wildlife resource, but each provide separate and individual functions. Wardens enforce laws and are basically of an enforcement aptitude. They are sirens, red light and handgun equipped law officers who really don't care about wildlife population dynamics. Biologists are basically of a scientific aptitude and are not interested in red lights, sirens or handguns. They are interested in wildlife populations and the scientific management of wildlife resources. I don't believe the two functions can be combined in one individual.

I would personally rather pay the price, in increased license fees, for the continuation of the present program, than see the quality of wildlife management diminished in our fine state.

Sincerely,

A handwritten signature in cursive script, appearing to read "John H. Ormiston".

John H. Ormiston

cc: James Flynn

THE WILDLIFE SOCIETY
MONTANA CHAPTER

February 14, 1981
NW 380 Blodgett Camp Road
Hamilton, MT 59840

Senator Ed Smith
Capitol Station
Helena, MT 59620

Dear Senator Smith:

The Montana Chapter, The Wildlife Society is a statewide organization of professional wildlife biologists from several federal and state agencies and private consulting firms. We very strongly believe it takes the cooperation of people from several disciplines to properly manage the wildlife and fish resources of this state. Well trained and qualified Information and Education Officers are an especially important part of an organization we believe is doing an outstanding job of managing the wildlife and fish resources. We believe funding to continue the present organization should be made available through license fee increases.

Sincerely,

John H. Ormiston
President

cc: James Flynn

3/12/81

How Ed Smith,

Dear Sir:

I would like you to consider some positive things on behalf of proper financing for the F. & S. Dept.

I am sure there is some dead weight in the Dept. and the great directors after Lunkle and before. Cito left much to be desired however the good, honest professional people in the field and Helena should not pay for political mistakes. Central America has been very poorly run but remember Wambach found that director had for reasons I don't know the way is still there.

I believe the Dept. deserves great credit for the ex-officio program and I support the renewation officer concept. The field people need money to travel and work to be effective.

The effort to improve landowner relations deserves credit & support in my opinion. The media effort

by the Dept. takes people & money
 as do the free signs furnished
 by them. This type of project
 takes time and long term effort.
 There. You are doing an excellent job
 with young people. Proper education
 is needed to help offset the
 growing anti hunting, Bambi attitude
 towards wildlife. The Dept. must
 promote this in my opinion because
 of the lack of any similar effort
 by our West. educational system.
 This appears to me to be a bad
time to decrease emphasis on research.
 Energy development will stress us all.
 Agriculture in particular has a lot
 at stake in proper control and
 analysis of the development and much
 of the effects on wildlife also
 affects agriculture land. We have
 much in common. Well managed
 land is essential to wildlife & agriculture.
 It seems out of place to have
 the Dept. rely on consulting firms
 when the past expenses of other

(3)

agency has come to light.

Trappers should pay their way. They do not now. Analysis of work by wardens & biologists would show more effort there than they are provided. Trapper trespass is a big problem in this area. We need to remember that forward thinking by the Dept. kept Mont. trappers selling beaver several years ago. Had they not had a half assed management plan in the works the feds would have shut us off. These modern efforts by the Dept. has brought them into conflict but they have been correct moves for the most part.

I am afraid inadequate financing will lead to reduction in programs landowners rely on.

I am also of the opinion legislators have always been subjected to negative gripes in excess of their worth.

Thank you for your time.

John S. Subatnick
Helena, Mt. 59451

Teton County Sportsmen's Association

WE ARE FOR -- "WILDLIFE CONSERVATION FOR FUTURE USE"

CHOTEAU, MONTANA 59422

DATE: February 14, 1981

FROM: Rich Dean, President, Teton County Sportsmen's Association

TO: Ed Smith ✓
Orville Ellison
Rex Manuel

RE: House Bill 200, (Increases in hunting and fishing license fees)

The Teton County Sportsmen's Association would like to wholeheartedly endorse the proposed increase in hunting and fishing license fees as proposed by the Montana Department of Fish, Wildlife and Parks.

Our club, which is composed of hunters and fishermen from the Choteau and Augusta areas, voted to unanimously support the proposed increases at our monthly meeting on February 11, 1981.

Montana sportsmen must realize that in order to adequately maintain the work of the department at its present level we should be willing to accept the burden of increased license fees. Certainly, no other government agency, business or individual expects to operate on the same revenue year after year in the face of inflation and gasoline prices fast approaching \$1.50 a gallon. Our license fees compare very favorable with those of other western states even after considering the proposed increases.

The reasonable sportsmen will not object to increases in fees legislated to enable the department maintain, enforce and protect our Montana "heritage" to hunt and to fish. The responsible sportsmen cannot object.

Rich Dean

February 16, 1981

Senator Ed Smith
Montana Senate
Helena, Montana

Dear Senator Smith:

I just completed reading an article in the Monday, Feb. 16, Helena Independent Record relating to funding for the Department of Fish, Wildlife, and Parks. As an employee of that department, I will readily confirm that for a period of $3\frac{1}{2}$ years it was badly mismanaged. However, I think you should look into the reason for this mismanagement in a little more depth.

During that $3\frac{1}{2}$ year period, our director was Dr. Robert Wambach who was appointed by Governor Judge and confirmed by the Montana Senate. Not long after his appointment, it became very obvious that our new director was not what one would consider an efficient administrator. In fact his lack of accountability in financial matters became legendary.

Wambach initiated the 5% holdback on each division's budget so that he could dispense the funds at his discretion to anyone that happened to be on his good side. The lack of direction and obvious mismanagement lead many people in the department to become dissatisfied with his leadership after little more than a year had passed. This unrest grew until there was a strong movement from within the department to have him resign. Initially, we received very little support from anyone for this effort, either from the governor's office or from legislators. Only after several years of his embarrassing everyone in the department and even in the state was he forced to resign..

The point of this letter is that we employees of the department recognized the mismanagement several years ago and tried to do something about it. We got very little sympathy or help! Where were you then? Now after we are finally shed of this great burden, are we to continue suffering at the hands of a legislature for a situation that we tried to tell you about and which fell on deaf ears? Is there no justice in this world?

Under the leadership of Keith Colbo and Jim Flynn, the Department of Fish, Wildlife, and Parks has again begun to see the light under new and efficient leadership and administration. Please don't stifle the newfound confidence by slashing our budgets because of the transgressions of a director who is now departed. With few exceptions, we are a group of highly qualified, dedicated and loyal employees. With a little help from you and our new leadership, we will get this outfit back on the right track again.

Thank you for listening.

Sincerely,
A Dedicated Employee

cc: Orville Ellison

Senator Ed Smith

Great Falls Mont
2-14-81

Dear Senator:

It comes as no surprise that the Dept of Fish Wildlife and Parks
- asking for another hefty raise in Licence Fees. As they need more
- tax dollars to feed their ever-expanding Bureaucracy. This dept. is one
- of the many of its kind who spend tax dollars and produce nothing.
- I doubt if this dept. can prove if the state is much better
- off because of much of its expenditures.

I do not know how many needless positions there are within
- the bureaucracy? But rest assured, there are some. Or how
- much needless and needless research and study? There is plenty.

At such a time as this when the economy is in trouble and
- people-income is scarcely enough to handle the necessities,
- Surely the Department should not expect to carry on in its
- present extravagant manner. Much less ask for more money
- to spend.

I suggest: we had more game and fish per hunter and better
- public relations, when the Dept was less than half ~~the size~~
- it now is, Also-at that time the comparable "Licence Fox Fees"
- were a mere pittance compared to what they now are.

If this department cannot operate on its present budget, let
- it try doing what tax-payers do, just cut out some of the fat
- that isn't needed. And there will be no need to raise
- the Licence Fee Taxes.

Dan Neal

321 27 st N.W.
Great Falls Mont 59404

I have been thinking of you
 and wondering how you are
 getting on. I hope you are
 well and happy. I have been
 very busy lately, but I
 always find time to think
 of my friends. Write soon.

98-1/1 100-1/1

opinions

No etiquette

Ed Smith takes his title of "whip" pretty seriously.

Smith is a state senator from Dagmar, up in northeast Montana. He's one of that body's most prominent Republican members, serves on three major committees and serves as "majority whip." He was also his party's nominee for Governor about nine years ago.

When he's not playing the game of politics, he's plying the game of plowing — he's a tall, generally soft-spoken farmer. But at least one Livingston man has found his disposition takes a different turn when he gets to Helena.

Tim Peterson of our town was concerned recently with the future of the Fish, Wildlife and Parks budget ... and worried the legislature wouldn't give the department enough money to operate. He favored increases in the

fishing and hunting license fees, and decided to tell somebody so.

So, he wrote to Ed Smith. Smith is chairman of the Fish and Game Committee of the Montana Senate — so it would seem an appropriate place to send his letter.

Peterson told the senator he supported the fee increases, and felt others did too. He asked him to compare the fees to those in other states, and questioned some of Smith's comments about the department which were quoted in the media.

What he got back was an angry and insulting reply from Sen. Smith. In a two-page letter, Smith argued his position and railed on and on about the ineptitude of the department.

And he took on Peterson personally.

"You must have your head

in the sand," Smith said at one point. He accused Peterson's comments of being "absurd," and implied the Livingston man was stupid to make his suggestions.

"I don't know what your occupation or business is," Smith concluded, "but you sound like a typical bureaucrat having no knowledge of what elected officials' obligations are."

Peterson is not a "bureaucrat," he's a school teacher. Besides that, he's a Montana taxpayer who deserves more courtesy than name-calling and insults from an elected official. Most politicians would just reply with a non-committal thanks for the letter, or perhaps not answer at all. Smith's been in the business since 1967, and he should surely have learned that much political etiquette.

Fur, Fin, Feather & Folk

By BILL BIGELOW



The Big Timber Fish Hatchery is springing to life again this month as preparations for this year's crop of babies are underway. Thurston Dotson and his crew have already separated the male and female Yellowstone Cutthroats and will be ready on March 18 for the "milking" operation.

With the warmer temperatures this year the job of standing in waders in the middle of flowing spring water was more enjoyable than in some years Thurston can remember. Several hundred fish make up the brood stock. Each year after the spawning operation is over some of the older fish are released into some local lakes in Montana. Last year some were released in the Glasston Lakes. They provided some exciting fishing for those who stumbled on them last year. Part of the stock may be released in Glasston again this year as well as other Montana Lakes.

All of the Yellowstone Cutthroat fingerlings that are produced each year are released in the high mountain lakes, mostly in the Absarokee Beartooth range. These lakes approximate the conditions of the McBride Lake in Yellowstone Park from which the fish originates. The Big Timber hatchery is the only hatchery that produces this fish for the enjoyment of the high mountain fisherman.

From Earl Rutter 3/15/81

DATE _____
Fish & Game

DATE _____

3-19-81

BILL NO. 200

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppo
Vim Flynn	DEPT FWP	HB200	
CRAIG SWICK	Montana Trappers Assoc ^{AS AMENDED}	✓	
EDD NENTWIG	MONTANA TRAPPERS ASS ^{AS AMENDED}	✓	
JANET MOORE	MONTANA TRAPPERS ASS ^{AS AMENDED}	✓	
Rep Ellison	House FWP Com	✓	
Pip Merlin	House FWP Comm	✓	
Jim Williams	O.B.P.P.		
Gerry W. Johnson	O.B.P.P.		
Janet Ellis	MT Audubon Council	✓ HB200	
Shirley Zildeth	SELF AS AMENDED	✓	
Robert Vanderken	Self As Amended		
Boel W. Bissell	Mont. Audubon Council	✓ HB200	

(Please leave prepared statement with Secretary)

MINUTES OF MEETING
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

March 24, 1981

The executive session was called to order by Chairman Smith at 1:06 p.m. in Room 402 of the Capitol.

ROLL CALL: All members of the committee were present with Senator Lee arriving at 1:13 p.m.

CONSIDERATION OF HOUSE BILL 200, "An act to increase funds available for management of the state's wildlife resources by increasing the fees for hunting, fishing,...."

Chairman Smith called on Bob Robinson of the Legislative Fiscal Analyst's office to report on HB 200. Mr. Robinson presented a revision of the letter which he gave to the committee at the last meeting. He said that, at the committee's direction, he had met with Jim Flynn of the Department of Fish, Wildlife, and Parks and Terry Williams of the Budget Director's office, and had negotiated with them the number of licenses estimated to be sold in each category of license where fees had been increased as a result of HB 200 (Attachment #1). He said as a result of their negotiations, they had all agreed to use the figures in his revised letter.

Chairman Smith called on Jim Flynn, Director of the Department of Fish, Wildlife, and Parks. Mr. Flynn stated that the department had come to an agreement with the legislative fiscal analyst on the number of licenses estimated to be sold in fiscal years 1982 and 1983 and the department would agree with those figures presented in Mr. Robinson's revised letter as to the effects of HB 200. Using those same figures, the department recalculated fees based upon the new agreed-upon figures. There is still a \$300,000 difference. Mr. Flynn then handed out a prepared report with the calculations shown and explained the differences. (Attachment #2)

Mr. Flynn directed the committee's attention to Item 6--salary increases for state employees. He stated that the fee increases the House allocated, so far, just barely take care of the proposed salary increases for a reduced number of state employees in the next biennium.

Mr. Flynn continued by saying that the \$1,500,000 balance shown for the end of the biennium is somewhat larger than the balance which has been discussed up until this time. The agency has just borrowed \$2,000,000 because it does not have enough revenue to cover expenses. He said that as the budget increases to \$10- or \$11,000,000, the \$1,000,000 balance needs to be adjusted upwards so that borrowing from the general fund will not be necessary. He believes the \$1,500,000 balance is a justifiable figure.

ACTION ON HOUSE BILL 200. Senator Berg moved to amend HB 200, page 2, line 22, to increase the cost of a resident or nonresident conservation license from \$2.00 to \$3.00. A roll call vote was taken and the motion passed with five members voting yes and two members voting no. (Attachment #3)

Senator Lee moved to amend HB 200, page 3, line 3, to increase the cost of a resident fishing license from \$6.00 to \$7.00. Motion passed on roll call vote with six members voting yes and one member voting no. (Attachment #4)

Senator Berg moved HB 200 be amended on page 6, line 8, to increase the nonresident big game combination hunting license from \$250.00 to \$275.00. The motion passed unanimously on a roll call vote. (Attachment #5)

Senator Berg moved HB 200 be amended on page 8, line 9, to increase the trapper's license fee from \$10.00 to \$25.00. The motion failed on a roll call vote with six members voting no and one member voting yes. (Attachment #6)

A sheet of clerical amendments was presented to the committee by Ms. Merrill, legislative researcher. The amendments are necessary, she said, as a result of House action where unaffected portions of HB 200 were not deleted from third reading copy. (Attachment #7)

Senator Galt moved the clerical amendments to HB 200; the motion carried unanimously.

Senator Severson moved House Bill 200 as amended, be concurred in. A roll call vote was taken and the motion passed with six members voting yes and one member voting no. (Attachment #8)

Senator Severson will carry the bill on the Senate floor.

CONSIDERATION OF HOUSE BILL 222, "An act to limit noise emissions
...."

Chairman Smith recognized Representative Robbins, sponsor of HB 222. Representative Robbins explained that after the public hearing on March 14, he had met with representatives of the boat racing association, the department, and lakeside owners, and they had agreed on amendments to HB 222. He stated that he thought the bill being presented today with its amendments was a much better bill. The amendments were distributed to committee members for consideration. (Attachment #9)

ACTION ON HOUSE BILL 222. Senator Lee moved to amend suggested amendment number 5, subsection (4), by placing a period after the word "airboats" and striking the rest of the sentence. The motion carried unanimously.

Senator Lee moved all other suggested amendments; the motion carried.

Senator Lee moved HB 222 as amended, be concurred in. The motion carried unanimously.

In reviewing the Statement of Intent to HB 222, it was decided that it would have to be edited and condensed. Chairman Smith asked Ms. Merrill to prepare it for committee consideration and action at the next meeting.

Chairman Smith said that he would ask Senator Bob Brown of Whitefish to carry the bill on the Senate floor.

ACTION ON HOUSE BILL 806, "An act to increase the amount of money that may be used for operation...."

Senator Eck moved that HB 806 be not concurred in.

Senator Galt said he lived near some access sites and believes some are a disgrace to the State of Montana because they are not properly developed and maintained.

Senator Lee made a substitute motion that HB 806 be tabled.

Chairman Smith said that he did not agree with tabling a bill. He believes the committee should act on all bills in committee.

Senator Lee withdrew his substitute motion.

Senator Severson said that emphasis has been on the department's acquiring access sites. He believes they have an obligation to take care of what they own and keep it in good repair.

Senator Severson made a substitute motion that HB 806 be concurred in.

A roll call vote was taken and the motion failed with three members voting yes and four members voting no. (Attachment #10)

Comments received opposing HB 806 are attached to these minutes, marked #11.

ACTION ON HOUSE BILL 738, "An act to clarify that it is lawful to take wildlife...."

Senator Lee moved the bill be concurred in. A roll call vote was taken and the motion carried with five members voting yes and two members voting no. (Attachment #12)

ACTION ON HOUSE BILL 152, "An act to minimize transmission of rabies...."

Senator Berg moved the amendments as shown on the sheet prepared by legislative researcher, Ms. Merrill (attachment #13). The motion carried.

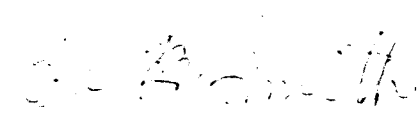
Senator Severson moved that HB 152 be amended on page 2, Section 2, line 11, by adding after "scientific research" the following: "all the captive bred and reared offspring of the above exception." A roll call vote was taken and the motion failed with two members voting yes and four members voting no and one member abstaining. (Attachment #14)

Senator Berg moved HB 152, as amended, be concurred in. A roll call vote was taken and the motion passed with all members voting yes. (Attachment #15)

CONSIDERATION OF HOUSE BILL 731, "An act to require the Department ...to limit the number of new outfitter and guide licenses...."

Senator Lee had prepared two amendments to HB 731 and distributed these to members of the committee. He moved that his amendments to HB 731 be accepted. There was a discussion concerning waters which are declared navigable and nonnavigable, and the legislature's jurisdiction in such matters. Chairman Smith said that action on this bill should be delayed until the next meeting. (Attachment #16)

The meeting was adjourned at 2:55 p.m.



SENATOR ED B. SMITH

jt

FISH AND GAME COMMITTEE

Date 3/24/81

[illegible]

Each day attach to minutes.



STATE OF MONTANA
Office of the Legislative Fiscal Analyst

STATE CAPITOL
HELENA, MONTANA 59601
406/449-2986

~~JOHN D. LAFAVER~~
~~LEGISLATIVE FISCAL ANALYST~~

March 21, 1981

TO: Senator Ed Smith, Chairman
Senate Fish and Game Committee

FROM: Bob Robinson, Senior Analyst *BR*

RE: Appropriation Action on Fish and Wildlife Department Budget
and Fiscal Impact of HB 200 With Committee Amendments.

APPROPRIATIONS

The following table shows appropriation subcommittee recommendations of hunting and fishing license earmarked funds by division.

	<u>FY 1982</u>	<u>FY 1983</u>
Central Services	\$1,668,256	\$1,589,473
Ecological Services	347,426	361,291
Fisheries	1,344,976	1,261,526
Enforcement	2,531,294	2,562,647
Wildlife	925,006	931,412
Parks & Recreation	358,319	386,984
Conservation Ed.	745,709	765,714
Administration	<u>449,976</u>	<u>453,807</u>
Total	\$8,370,962	\$8,312,854

If the above expenditures are approved and a 12 percent pay plan is added, the impact on the license earmarked revenue fund (02131) would be a reduction of the fund balance to a negative \$665,875 by the end of fiscal 1983. The department needs a positive fund balance of \$800,000 to \$1,000,000 to operate effectively.

Fish and Game License ERA
02131

	<u>FY 1982</u>	<u>FY 1983</u>
Beginning Balance	\$1,100,000	\$ 566,648
Revenue	<u>8,606,436</u>	<u>8,687,185</u>
Total Available	\$9,706,436	\$9,253,833
Expenditures	(8,370,962)	(8,312,854)
Pay Plan	<u>(768,826)</u>	<u>(1,606,854)</u>
Ending Balance	\$ 556,648	\$ (665,875)

If HB 200 is approved as amended in committee the license fee earmarked account would have a balance of approximately \$1.157 million at the end of fiscal 1983.

	<u>FY 1982</u>	<u>FY 1983</u>
Beginning Balance	\$1,100,000	\$ 1,247,579
Revenue	<u>9,287,367</u>	<u>10,169,454</u>
Total Available	\$10,387,367	\$11,439,033
Expenditures	(8,370,962)	(8,312,854)
Pay Plan (12%)	<u>(768,826)</u>	<u>(1,606,854)</u>
Ending Balance	\$1,247,579	\$1,519,325

Fiscal Impact of HB 200 as Amended

HB 200 as amended will increase license fee revenue \$1.5 million per year when it is fully implemented in fiscal 1983. Most license increases won't go into effect until fiscal 1983. The conservation card increase and the drawing fee go into effect in fiscal 1982, generating an additional \$680,931. The estimates for resident and non-resident season fishing licenses assume a ten percent decrease in license sales due to price increases. If fishing license sales do not decrease an additional \$148,589 will be collected.

Fiscal Impact of HB 200 as Approved by the House

Bill Section #	-----1982-----				-----1983-----			
	No. Sold	Current Revenue	Proposed Revenue	Difference	No. Sold	Current Revenue	Proposed Revenue	Difference
1. Replace Lost Licenses	3,295	\$ 9,885	\$ 16,475	\$ 6,590	3,295	\$ 9,885	\$ 16,475	\$ 6,590
2. Res. Conservation Card								
Nonres. Conservation Card	273,431	273,431	546,862	273,431***	276,960	276,960	553,920	276,960
	100,000	100,000	200,000	100,000***	101,000	101,000	202,000	101,000
3. Resident Fishing	175,892	879,460	949,816*	70,356	177,647	888,235	959,293	71,058
4. Nonres. Season Fishing	14,000	280,000	378,000*	98,000	14,000	280,000	378,000*	98,000
5. Nonres. Fishing 2-day	90,000**	264,000	360,000	96,000	90,000**	264,000	360,000	96,000
6. Paddlefish	4,000	-0-	12,000	12,000	4,000	-0-	12,000	12,000
9. Turkey	4,000	8,000	12,000	4,000	4,000	8,000	12,000	4,000
10. Deer A - Resident	121,000	847,000	968,000	121,000	122,000	854,000	976,000	122,000
Elk - Resident	83,132	665,056	748,188	83,132	84,686	677,488	762,174	84,686
Bear - Resident	10,100	60,600	80,800	20,200	10,500	63,000	84,000	21,000
11. Nonres. Big Game	17,000	3,825,000	4,250,000	425,000	17,000	3,825,000	4,250,000	425,000
15. Moose - Nonres.	12	1,800	2,100	300	12	1,800	2,100	300
Mtn. Goat - Nonres.	22	3,300	3,850	550	22	3,300	3,850	550
Mtn. Sheep - Nonres.	300	45,000	52,500	7,500	300	45,000	52,500	7,500
Grizzly Bear-Nonres.	5	750	875	125	5	750	875	125
19. Drawing Fee	71,500	50,000	357,500	307,500***	71,500	50,000	357,500	307,500
22. Increase in Agent Fees		(130,000)	(260,000)	(130,000)		(130,000)	(260,000)	(130,000)
Increase Effective FY '82				\$ 680,931	Increases Effective FY '83			
					Increase if there is no			
					decline in fishing licenses sales			
					resulting from price increases.			
					\$1,504,269			
					\$1,652,858			

*Assumes 10% decrease in license sales due to price increase.

**Assumes two day licenses will total \$90,000; one day licenses totaled \$131,000 in 1980.

***Increases to go into effect in fiscal 1982.

Attachment #16

ADDITIONAL REVENUE REQUESTED FROM THE SENATE FISH & GAME COMMITTEE

&

ADDITIONAL EXPENSES REQUESTED FROM THE SENATE FINANCE & CLAIMS COMMITTEEI. Additional Revenue Requested From the Senate Fish & Game Committee

	<u>FY82</u>	<u>FY83</u>	<u>Total For Biennium</u>
A. Resident Conservation License	\$273,000	\$276,000	\$549,000
B. Nonresident Conservation License	96,446	93,746	190,192
C. Resident Fishing		183,405	183,405
D. Nonresident Big Game		425,000	425,000
	<u>\$369,446</u>	<u>\$978,151</u>	<u>\$1,347,597</u>

Total Additional License Fee Income
Requested From the Senate for the
Biennium

\$1,347,597

II. Additional Expenses Requested From the Senate Finance & Claims Committee

	<u>FY82</u>	<u>FY83</u>	<u>Total For Biennium</u>
A. Department Request to Restore 4.00 FTE's	\$ 61,486	\$ 61,486	\$122,972
B. Additional Gasoline Costs	120,507	112,210	232,717
C. Fiscal Impact - Current Legislation (SB320)	- 0 -	83,600	83,600
	<u>\$181,993</u>	<u>\$257,296</u>	<u>\$439,289</u>

III. Capital Projects Authorized By Previous Legislatures

	<u>FY82</u>	<u>FY83</u>	<u>Total For Biennium</u>
	- 0 -	\$856,175	\$856,175

Total Additional Expenses Authorized & Requested
From the Senate for the Biennium (\$439,289 + \$856,175)

\$1,295,464

Total Additional Fee Increases Requested From
the Senate

\$1,347,597

Total Additional Expenses Authorized & Requested
From the Senate

\$1,295,464
\$ 52,133

HUNTING & FISHING LICENSE ACCOUNT
PROJECTED REVENUES, EXPENDITURES, & CASH BALANCES
FISCAL YEARS 1982 AND 1983

<u>I. Minimum Cash Balance - (See Chart 1)</u>		<u>FY82</u>	<u>FY83</u>
The Department receives most fishing license money in the summer and most hunting license money in the fall. It receives very little money in the winter. Because hunting and fishing license monies are used to pay for federal work before reimbursement is received, a minimum cash balance of \$1,000,000 must be kept throughout the year, not just at the end of the fiscal year.			
		\$1,000,000	\$1,000,000
<u>II. Revenues - (See Chart 2)</u>		<u>FY82</u>	<u>FY83</u>
It should be noted that the Department's revenue estimates differ with those of the Legislative Fiscal Analyst by \$971,872. These differences relate primarily to overestimation of numbers of licenses sold in FY82 and FY83 by the LFA and overestimation of revenues generated by the House-approved version of HB200 by the LFA.			
Department of Fish, Wildlife, and Parks Estimates		\$8,386,299	\$8,523,025
HB200, as Approved by the House (Charts 6 & 7)		681,129	1,681,118
Additional Amounts Requested from the Senate (Charts 6 & 7)		369,446	978,151
		<u>\$9,436,874</u>	<u>\$11,182,294</u>
<u>III. Expenditures Approved by the Joint Appropriations Subcommittee at this Time</u>			
<u>Division</u>		<u>FY82</u>	<u>FY83</u>
Centralized Services		\$1,668,256	\$1,589,473
Ecological Services		347,426	361,291
Fisheries		1,338,826	1,255,376
Enforcement		2,533,260	2,564,613
Wildlife		917,206	923,612
Parks		358,319	386,984
Conservation-Education		742,024	761,968
Administration		459,048	462,879
		<u>\$8,364,365</u>	<u>\$8,306,196</u>
<u>IV. Department Request to Restore 4.00 FTE's - (See Chart 3)</u>			
<u>Division</u>		<u>FY82</u>	<u>FY83</u>
Centralized Services (1.00)		\$ 21,425	\$ 21,425
Conservation-Education (1.00)		14,819	14,819
Administration (2.00)		25,242	25,242
		<u>\$ 61,486</u>	<u>\$ 61,486</u>
<u>V. Expected Gasoline Price Increases (In Addition to Executive Budget Request) - (See Chart 4)</u>		<u>FY82</u>	<u>FY83</u>
A. 276,544 gallons used in fiscal year 1980			
B. Expected Price in Fiscal Year 1982 is \$1.65 per gallon			
Budgeted Price in Fiscal Year 1982 is \$1.16 per gallon			
276,544 gallons x \$1.65 =	\$456,298		
276,544 gallons x \$1.16 =	(320,791)		
Additional Amount Needed, FY82	\$135,507 - \$15,000 (House) =	\$ 120,507	
Expected Price in Fiscal Year 1983 is \$1.85 per gallon			
Budgeted Price in Fiscal Year 1983 is \$1.39 per gallon			
276,544 gallons x \$1.85 =	\$511,606		
276,544 gallons x \$1.39 =	(384,396)		
Additional Amount Needed, FY83	\$127,210 - \$15,000 (House) =		\$ 112,210

VI. Salary Increases For Employees

FY82

FY83

The expenditures currently approved by the joint appropriations subcommittee do not include any salary increases for employees. Presently, there are tentative agreements with labor bargaining units in other agencies at 12%. A 12% rate is assumed for fiscal year 1982 and fiscal year 1983 salary increases. The 12% was applied to total personal services approved by the joint appropriations subcommittee plus the additional 4.00 FTE's requested by the Department. Then, 60% of this amount (the license account portion) was calculated.

\$ 718,076

\$1,526,763

VII. Fiscal Impact - Current Legislation

FY82

FY83

SB320 - Loss of Revenue From Half-Price Senior Citizens
Deer and Elk Licenses

- 0 -

\$ 83,600

VIII. Capital Projects Authorized By Previous Legislatures

FY82

FY83

These are projects appropriated by previous Legislatures. With the exception of the Missoula Headquarters and the Lake & Stream Improvement appropriations, they are active projects. HB200 is needed to offset the drain on account 02131 resulting from the completion of these projects.

Project
Description

Amount

nyon Ferry - Develop hunter access at
upper end of reservoir

\$ 4,750

Lake & Stream Improvement - Improve fish
habitat where deteriorated or in jeopardy-
Original appropriation \$50,000 from 02131-
2% complete

13,880

Acquire Wildlife Habitat Statewide
Remainders of two separate appropriations
originally totalling \$750,000 - 88% complete

91,287

Develop Fishing Access Sites for Public
Remainders of three separate appropriations
originally totalling \$1,135,000 from 02131-
% complete

172,988

Develop Land for Wildlife Benefit
Statewide

12,300

Replace inadequate regional headquarters
at Missoula - original appropriation \$600,000
from 02131 - \$39,030 spent for design.

560,970
\$856,175

\$ 856,175

IX. Summary of Expenses for the Biennium

FY82

FY83

Approved by the Joint Subcommittee
Department Request to Restore 4.00 FTE's
Projected Gas Price Increases Above Executive Request
Salary Increases for Employees at 12%
Fiscal Impact - Current Legislation
Capital Projects Authorized by Previous Legislatures

\$8,364,365

\$8,306,196

61,486

61,486

120,507

112,210

718,076

1,526,763

- 0 -

83,600

- 0 -

856,175

\$9,264,434

\$10,946,430

X. Projected Cash Flow for License Revenue Account. Assumes Full Fee Increases Requested by Department

FY82

FY83

Beginning Balance

\$1,100,000

\$1,272,440

Revenues

9,436,874

11,182,294

Subtotal

\$10,536,874

\$12,454,734

Expenditures Approved by Joint Subcommittee

(8,364,365)

(8,306,196)

Subtotal

\$2,172,509

\$4,148,538

Cost to Restore 4.00 FTE's

(61,486)

(61,486)

Subtotal

\$2,111,023

\$4,087,052

Projected Gas Price Increases Above Executive Request

(120,507)

(112,210)

Subtotal

\$1,990,516

\$3,974,842

Salary Increases for Employees

(718,076)

(1,526,763)

Subtotal

\$1,272,440

\$2,448,079

Hunting and Fishing License Fee Increases
Granted by the House & Requested from the Senate

Negotiated Version
3/20/81

License	Projected Quantity	Present Fee	Granted by the House	Annual Revenue Impact Year 1	Annual Revenue Impact Year 2	Recommended by the Department	Annual Revenue Impact Year 1	Annual Revenue Impact Year 2
Resident Conservation	273,000 - 276,000	\$ 1.00	\$ 2.00	\$273,000	\$276,000	\$ 3.00(1982)	\$273,000	\$276,000
Nonres. Conservation	96,446 - 93,746	1.00	2.00	96,446	93,746	3.00(1982)	96,446	93,746
Resident Fishing	180,235 - 183,405	5.00	6.00		180,235	7.00(1983)		183,405
Nonres. Big Game	17,000 (d)	225.00	250.00		425,000	275.00(1983)		425,000
New Drawing Fee (b)	72,519 (e)	-0-	5.00	365,595	365,595			
Dealer Fee	843,649 (a)	.15	.30		(126,546)			
Drawing Fee (deer, elk)	53,312 (c)	1.00		(53,312)	(53,312)			
Paddlefish (b)	4,000	-0-	3.00		12,000			
Turkey	3,900	2.00	3.00		3,900			
Duplicate	2,293	3.00	5.00		4,596			
Resident Deer	119,260	7.00	8.00		119,260			
Resident Elk	80,108	8.00	9.00		80,108			
Resident Bear	9,694	6.00	8.00		19,388 (f)			
Nonres. 2-day Fishing	90,000	2.00	4.00		104,938			
Nonres. Season Fishing	14,396	20.00	30.00		143,960			
Nonres. Bird	2,480	30.00	40.00		24,800			
Nonres. Moose	12	150.00	175.00		300			
Nonres. Sheep	176	150.00	175.00		4,400			
Nonres. Goat	22	150.00	175.00		550			
Nonres. Grizzly	112	150.00	175.00		2,800			
Nongame Certificate	120	5.00	eliminate	(600)	(600)			
				\$681,129	\$1,681,118		\$369,446	\$978,151

SUMMARY: Granted by the House

Additional FY82 Revenue = \$ 681,129

Additional FY83 Revenue = \$1,681,118

Total for Biennium ; \$2,362,247

Recommended by FWP

Additional FY82 Revenue = \$ 369,446

Additional FY83 Revenue = \$ 978,151

Total for Biennium \$1,347,597

(a) Number of licenses sold statewide at license dealers.

(b) New license or fee

(c) It is estimated there are about 4,000 anglers fishing for paddlefish each year in Montana. The license would apply to both residents and nonresidents.

(d) Limited by law to 17,000

(e) Approximate number of drawing applications in 1980

(f) This is a calculation that takes the elimination of the 6-day nonresident fishing license into consideration.

Attachment # 2c

Detailed Schedule of Projected Revenue for 1982 and 1983 - License Revenue Account

Negotiated Revision
3/20/81

Regular Hunting and Fishing Licenses and Permits

License	1977	1978	1979	1980	A 1981	Projected Quantity 1982	Current Fee	1982 (In Dollars)	Projected Quantity 1983	Current Fee	1983 (In Dollars)
1. Sportsman License*	2,164	2,148	2,708	2,405	3,340	2,553	\$ 35	\$ 89,355	2,553	\$ 35	\$ 89,355
2. Resident Conservation*	254,167	258,245	260,682	285,386	64,893						
			Normal Pattern --			273,000	\$ 1	273,000	276,000	\$ 1	276,000
3. Resident Fishing*	170,991	171,196	174,033	174,651	173,766	180,235	\$ 5	901,175	183,405	\$ 5	917,025
4. Resident Bird-Adult*	57,349	62,377	62,425	61,914	58,478	62,238	\$ 4	248,952	62,238	\$ 4	248,952
5. Resident Bird-Youth*	4,578	4,496	4,395	4,100	3,838	3,654	\$ 2	7,308	3,479	\$ 2	6,958
6. Nonres. Conservation*	104,616	107,747	110,399	102,002	99,225	96,446	\$ 1	96,446	93,746	\$ 1	93,746
7. Nonres. 1-Day Fish.*	162,653	161,298	160,598	134,906	127,794	90,000	\$ 2	180,000	90,000	\$ 2	180,000
8. Nonres. 6-Day Fish.*	20,743	22,169	23,582	24,441	21,418	22,930	\$ 10	229,300	22,930	\$ 10	229,300
9. Nonres. Season Fish.*	12,378	13,644	14,499	14,776	14,164	14,000	\$ 20	280,000	14,000	\$ 20	280,000
10. Nonres. Bird*	1,782	2,277	2,258	2,536	2,339	2,521	\$ 30	75,630	2,718	\$ 30	81,540
11. Elk - Adult*	68,748	72,960	77,326	81,660	81,607	83,132	\$ 8	665,056	84,686	\$ 8	677,488
12. Elk - Youth*	5,166	5,017	5,107	4,918	4,901	4,837	\$ 2	9,674	4,774	\$ 2	9,548
13. Deer A - Adult*	103,592	109,911	112,611	122,820	126,626	133,653	\$ 7	935,571	141,072	\$ 7	987,504
14. Deer A - Youth*	9,803	9,393	8,848	8,682	8,522	8,198	\$ 2	16,396	7,886	\$ 2	15,772
15. Bow & Arrow*	8,071	9,397	10,746	11,439	13,683	16,050	\$ 6	96,300	18,826	\$ 6	112,956
16. Turkey*	3,408	3,604	3,569	4,315	3,708	4,012	\$ 2	8,024	4,012	\$ 2	8,024
17. Resident Bear *	7,465	8,164	8,960	9,880	9,777	9,828	\$ 6	58,968	9,828	\$ 6	58,968
18. Nonres. Bear *	48	46	71	110	603	603	\$100	60,300	603	\$100	60,300
19. Resident Grizzly*	389	411	497	472	537	461	\$ 25	11,525	461	\$ 25	11,525
20. Nonres. Grizzly*	124	102	119	112	123	116	\$150	17,400	116	\$150	17,400
21. Grizzly Trophy	11	5	7	11	12	9	\$ 25	225	9	\$ 25	225
22. Duplicates	3,435	3,710	3,706	3,531	5,326	3,596	\$ 2	7,192	3,596	\$ 2	7,192
23. Nonres. Big Game	12,689	13,767	16,553	17,000	17,000	17,000	\$225	3,825,000	17,000	\$225	3,825,000
24. Resident Antelope	25,085	25,059	20,334	15,855	17,146	18,534	\$ 5	92,670	20,035	\$ 5	100,175
25. Nonres. Antelope	2,080	2,195	1,975	963	1,233	1,519	\$100	151,900	1,642	\$100	164,200
26. Resident Deer B	-0-	82	485	1,197	6,236	6,236	\$ 5	31,180	6,236	\$ 5	31,180
27. Nonres. Deer B	-0-	-0-	-0-	314	651	651	\$ 50	32,550	651	\$ 50	32,550
28. Resident Moose	698	584	576	563	532	591	\$ 25	14,775	591	\$ 25	14,775
29. Nonres. Moose	19	18	12	12	6	13	\$150	1,950	13	\$150	1,950
30. Resident Sheep	669	545	875	809	759	731	\$ 25	18,275	731	\$ 25	18,275
31. Nonres. Sheep	313	176	339	288	218	267	\$150	40,050	267	\$150	40,050
32. Resident Goat	507	440	430	401	359	427	\$ 15	6,405	427	\$ 15	6,405
33. Nonres. Goat	39	27	26	22	15	26	\$150	3,900	26	\$150	3,900
34. Nonres. Deer A	1,011	-0-	-0-	-0-	-0-	1,000	\$100	100,000	1,000	\$100	100,000
35. Resident Mountain Lion	517	574	639	614	787	626	\$ 5	3,130	626	\$ 5	3,130
36. Nonres. Mountain Lion	70	102	123	111	61	93	\$100	9,300	93	\$100	9,300
37. Deer & Elk Permit Fees	33,259	37,686	43,742	53,325	50,528	51,927	\$ 1	51,927	51,927	\$ 1	51,927
Dealer Fee Adjustment						1,020,486 x 15c		(153,073)	1,017,329 x 15c		(152,599)
Fishing Access Set Aside	FY82 = (\$1x174,461)+(\$1x111,309)+(\$5x22,930)+(\$5x14,001) = 470,425							(470,425)			(455,959)
	FY83 = (\$1x175,158)+(\$1x96,951)+(\$5x22,930)+(\$5x13,840) = 455,959							\$ 8,027,311			\$ 8,164,037

licenses marked with an asterisk are sold at license dealers. These licenses were used to calculate the dealer fee adjustment.

May 1, 1980 to March 1, 1981. Partial year only. However, most licenses are sold by this time.

Attachment 2a

AMENDMENTS TO HB 200

(Third Reading Blue Copy)

Changes

1. Page 5, Line 20
Following: ~~"-\$7-"~~
Strike: " \$8 "
Insert: " \$9 "
2. Page 5, Line 24
Following: ~~"-\$12-"~~
Strike: " \$9 "
Insert: " \$10 "
3. Page 6, Lines 7 & 8
Following: ~~"-\$225-\$300-or,-after-April-30,-1983,
a-fee-of-\$325"~~
Strike: " \$250 "
Insert: " \$275 "
4. Page 3, Line 3
Following: ~~"-\$5-\$7-50-or,-after-April-30,-1983,
a-fee-of-\$10"~~
Strike: " \$6 "
Insert: " \$7 "

II. Miscellaneous Licenses and Permits

License	1977	1978	1979	1980	A 1981	Projected 1982		Projected 1983	
38. General Trapping	2,045	3,142	3,103	4,503	3,853	4,178	\$ 41,780	4,178	\$ 41,780
39. Landowner Trapping	310	512	436	715	656	685	685	685	685
40. Resident Fur Dealer	111	85	99	123	82	103	1,030	103	1,030
41. Fur Dealer Agent	35	5	35	44	12	12	120	12	120
42. Nonres. Fur Dealer	18	11	24	27	17	17	850	17	850
43. Taxidermist	84	44	99	162	60	60	900	60	900
44. Minnow Seining	41	20	31	35	24	24	240	24	240
45. Falconers Permit	91	45	59	62	52	52	156	52	156
46. Resident Outfitter	406	397	428	421	463	463	23,150	463	23,150
47. Nonres. Outfitter	2	3	2	3	2	2	300	2	300
48. Resident Guide	530	611	720	694	772	772	11,580	772	11,580
49. Nonres. Guide	2	3	3	6	3	3	300	3	300
50. Collector's Permit	-0-	9	24	25	30	30	150	30	150
51. Shooting Preserve Permit	2	-0-	1	3	5	5	190	5	190
52. Zoo Permit	5	-0-	3	4	2	2	50	2	50
53. Commercial Fish. Class A			3	5	1	3	1,500	3	1,500
54. Commercial Fish. Class B			1	-0-	1	1	200	1	200
55. Nonres. Trapper				6	7	6	1,500	6	1,500
							\$ 84,681		\$ 84,681

III. Miscellaneous Income

	1979	1980	Average for Two Years		
Confiscated Meat Sales	35,602	38,417	37,010		
Sales of Hides & Pelts	21,492	88	10,790		
Sale of Outdated Licenses	6,563	2,731	4,647		
Sale of Publications	862	5,904	3,383		
Employee House Rents	13,632	15,063	14,347		
Less Than \$1 Overpayments	1,814	1,228	1,521		
Incidental Income	54,015	60,062	57,039		
Subtotal	133,980	123,493	128,737		
Montana Outdoors Income	138,081	153,059	145,570		
	272,061	276,552	274,307	\$274,307	\$274,307

A "Incidental Income" includes sale of hay and grain, lease income, sale of equipment, vehicle salvage, sale of fish food, and some real estate sales.

Summary	1982	1983
I. Regular Hunting & Fishing License & Permits	\$8,027,311	\$8,164,037
II. Miscellaneous Licenses & Permits	84,681	84,681
III. Miscellaneous Income	274,307	274,307
	\$8,386,299	\$8,523,025

Attachment # 28

STANDING COMMITTEE REPORT

MARCH 24

1901

1901

MR. PRESIDENT

FISH AND GAME

We, your committee on

HOUSE

200

having had under consideration Bill No.

ELLISON (SEVERSON)

HOUSE

200

Respectfully report as follows: That Bill No.

third reading copy, be amended as follows:

1. Title, line 2.
Strike: "TRAPPING,"
2. Page 2, line 22.
Strike: "\$2"
Insert: "\$3"
3. Page 3, line 3.
Strike: "\$6"
Insert: "\$7"
4. Page 4, lines 7 through 22.
Strike: sections 7 and 8 in their entirety
Renumber: subsequent sections
5. Page 6, line 8.
Strike: "\$250"
Insert: "\$275"

6. Page 7, line 12 through line 15 on page 8.
Strike: sections 12 through 14 in their entirety
Renumber: subsequent sections
7. Page 12, line 11 through line 11 on page 13.
Strike: sections 20 and 21 in their entirety
Renumber: subsequent sections
8. Page 14, lines 3 through 23.
Strike: section 23 in its entirety
Renumber: subsequent sections
9. Page 15, line 7.
Following: "Section"
Strike: "19"
Insert: "14"
10. Page 15, line 9.
Following: "section"
Strike: "19"
Insert: "14"
11. Page 15, line 12.
Following: "Sections 2 and"
Strike: "19"
Insert: "14"
12. Page 15, line 13.
Following: "Section"
Strike: "24"
Insert: "16"
13. Page 15, line 14.
Following: "Section"
Strike: "16"
Insert: "11"
14. Page 15, line 15.
Following: "Sections"
Strike: "17 and 18"
Insert: "12 and 13"

And, as so amended, BE CONCURRED IN.

SENATE COMMITTEE FISH AND GAMEDate 3/24/81 House Bill No. 200 Time _____

NAME	YES	NO
Smith, Ed, Chairman		✓
Galt, Jack, Vice Chairman	✓	
Severson, Elmer	✓	
Lee, Gary		✓
Eck, Dorothy	✓	
Berg, Harry	✓	
Jacobson, Judy	✓	

Jeanette G. Thornton
SecretaryEd B. Smith
ChairmanMotion: Pg. 2 Line 22. Strike "\$2",
Insert "\$3".for resident and nonresident wildlife conservation
licenses.

(include enough information on motion—put with yellow copy of committee report.)

SENATE COMMITTEE FISH AND GAMEDate 3/24/81 House Bill No. 200 Time _____

NAME	YES	NO
Smith, Ed, Chairman		✓
Galt, Jack, Vice Chairman	✓	
Severson, Elmer	✓	
Lee, Gary	✓	
Eck, Dorothy	✓	
Berg, Harry	✓	
Jacobson, Judy	✓	

Jeanette G. Thornton
SecretaryEd B. Smith
Chairman

Motion: Pg 3 Line 3. Strike "\$6"
insert "\$7"
to increase the cost of a resident fishing license.

(include enough information on motion—put with yellow copy of committee report.)

SENATE COMMITTEE FISH AND GAMEDate 3/24/81 House Bill No. 200 Time _____

NAME	YES	NO
Smith, Ed, Chairman	✓	
Galt, Jack, Vice Chairman	✓	
Severson, Elmer	✓	
Lee, Gary	✓	
Eck, Dorothy	✓	
Berg, Harry	✓	
Jacobson, Judy	✓	

Jeanette G. Thornton
SecretaryEd B. Smith
ChairmanMotion: pg 6 Line 8. Strike "\$250";
Insert "\$275".to increase the nonresident big-game combination
hunting license.

(include enough information on motion—put with yellow copy of committee report.)

SENATE COMMITTEE FISH AND GAMEDate 3/24/81 House Bill No. 200 Time _____

NAME	YES	NO
Smith, Ed, Chairman		✓
Galt, Jack, Vice Chairman		✓
Severson, Elmer		✓
Lee, Gary		✓
Eck, Dorothy		✓
Berg, Harry	✓	
Jacobson, Judy		✓

Jeanette G. Thornton
SecretaryEd B. Smith
Chairman

Motion: pg 8 Line 9. Strike "\$10"
Insert "\$25"
to increase trappers license fee.

(include enough information on motion--put with yellow copy of committee report.)

AMENDMENTS FOR HB 200

(Because proposed amendments for some sections were rejected by the House Fish and Game committee, leaving some sections as they were, those sections should be dropped out of the bill. The internal references then must be updated to reflect the renumbering of the remaining sections of the bill. The following amendments accomplish those two things.)

1. Page 4, lines 7 through 22.
Strike: sections 7 and 8 in their entirety
Renumber: subsequent sections
2. Page 7, line 12 through line 15 on page 8.
Strike: sections 12 through 14 in their entirety
Renumber: subsequent sections
3. Page 12, line 11 through line 11 on page 13.
Strike: sections 20 and 21 in their entirety
Renumber: subsequent sections
4. Page 14, lines 3 through 23.
Strike: section 23 in its entirety
Renumber: subsequent sections
5. Page 15, line 7.
Following: "Section"
Strike: "19"
Insert: "14"
6. Page 15, line 9.
Following: "section"
Strike: "19"
Insert: "14"
7. Page 15, line 12.
Following: "Sections 2 and"
Strike: "19"
Insert: "14"
8. Page 15, line 13.
Following: "Section"
Strike: "24"
Insert: "16"
9. Page 15, line 14.
Following: "Section"
Strike: "16"
Insert: "11"
10. Page 15, line 15.
Following: "Sections"
Strike: "17 and 18"
Insert: "12 and 13"

It was brought out in executive session on March 24, that the title, line 8 should be amended by striking, "TRAPPING,"

SENATE COMMITTEE FISH AND GAMEDate 3/24/81 House Bill No. 200 Time _____

NAME	YES	NO
Smith, Ed, Chairman		✓
Galt, Jack, Vice Chairman	✓	
Severson, Elmer	✓	
Lee, Gary	✓	
Eck, Dorothy	✓	
Berg, Harry	✓	
Jacobson, Judy	✓	

Jeanette G. Thornton
SecretaryEd B. Smith
ChairmanMotion: HB 200 as amended concurred in

(include enough information on motion--put with yellow copy of committee report.)

SUGGESTED AMENDMENTS TO HOUSE BILL 222

1. Page 1, lines 14 through line 6 on page 2.

Strike: section 1 in its entirety

Insert: "Section 1. Maximum noise emissions from motorboats. No motorboat may be operated in or upon the waters of this state if it emits noise that exceeds 86 dbA measured at a distance of 50 feet from the motorboat except those motorboats permitted under the provisions of [section 4]."

2. Page 2, line 11.

Strike: "levels"

Insert: "level"

3. Page 2, line 12.

Following: line 11

Strike: "subsection (2) of"

4. Page 2, lines 19 through 24.

Strike: section 3 in its entirety

Renumber: all subsequent sections

5. Page 2, line 25 through line 16 on page 3.

Strike: section 4 in its entirety

Insert: "Section 4. Exceptions. [Sections 1 through 4] do not apply to:

(1) ~~X~~ motorboat that is:

(a) registered by a bona fide national boat racing association and displaying numbering approved by that association; and

(b) authorized by a permit issued on an annual basis by the department.

(2) ~~X~~ motorboat or boats competing in a regatta that is sanctioned by a bona fide national boat racing association, including those motorboats or boats sanctioned by that association for testing for not more than 2 days prior to competition in a regatta.

(3) ~~X~~ motorboat or airboat operated by legally designated search and rescue units, law enforcement officers, or personnel of a federal, state, or local government agency on emergency duty or in training for emergency duty.

(4) ~~Vessels commonly known as airboats, when used by a utility company in the course of business.~~ *See Lee moved. Motion carried*

6. Page 3, line 22.

Strike: "5"

Insert: "4"

7. Page 3, line 24.

Strike: "5"

Insert: "4"

8. Page 11, line 2.

Strike: "5"

Insert: "4"

9. Page 11, line 4.

Following: "through"

Strike: "5"

Insert: "4"

STANDING COMMITTEE REPORT

MARCH 24

19 01

MR. **PRESIDENT**

We, your committee on **FISH AND GAME**

having had under consideration **HOUSE** Bill No. **222**

ROBBINS (BOB BROWN)

Respectfully report as follows: That **HOUSE** Bill No. **222**
third reading copy, be amended as follows:

1. Page 1, lines 14 through line 6 on page 2.
Strike: section 1 in its entirety
Insert: "Section 1. Maximum noise emissions from motorboats. No motorboat may be operated in or upon the waters of this state if it emits noise that exceeds 86 dbA measured at a distance of 50 feet from the motorboat except those motorboats permitted under the provisions of [section 4]."
2. Page 2, line 11.
Strike: "levels"
Insert: "level"
3. Page 2, line 12.
Following: line 11
Strike: "subsection (2) of"

~~DO:PASS~~

4. Page 2, lines 19 through 24.
Strike: section 3 in its entirety
Re-number: all subsequent sections
5. Page 2, line 25 through line 16 on page 3.
Strike: section 4 in its entirety
Insert: "Section 4. Exceptions. [Sections 1 through 4] do not apply to:
 (1) a motorboat that is:
 (a) registered by a bona fide national boat racing association and displaying numbering approved by that association; and
 (b) authorized by a permit issued on an annual basis by the department.
 (2) a motorboat or boats competing in a regatta that is sanctioned by a bona fide national boat racing association including those motorboats or boats sanctioned by that association for testing for not more than 2 days prior to competition in a regatta.
 (3) a motorboat or airboat operated by legally designated search and rescue units, law enforcement officers, or personnel of a federal, state, or local government agency on emergency duty or in training for emergency duty.
 (4) vessels commonly known as airboats."
6. Page 3, line 22.
Strike: "5"
Insert: "4"
7. Page 3, line 24.
Strike: "5"
Insert: "4"
8. Page 11, line 2.
Strike: "5"
Insert: "4"
9. Page 11, line 4.
Following: "through"
Strike: "5"
Insert: "4"

P.A.

And, as so amended, BE CONCURRED IN, with the attached Statement of Intent.

STANDING COMMITTEE REPORT

MARCH 24

19 81

MR. PRESIDENT

We, your committee on FISH AND GAME

having had under consideration HOUSE Bill No. 806

Respectfully report as follows: That HOUSE Bill No. 806

third reading copy,

BE NOT CONCURRED IN.

DO PASS:

Handwritten signature

Chairman.

SENATE COMMITTEE FISH AND GAMEDate 3/24/81 House Bill No. 806 Time _____

NAME	YES	NO
Smith, Ed, Chairman	✓	
Galt, Jack, Vice Chairman	✓	
Severson, Elmer	✓	
Lee, Gary		✓
Eck, Dorothy		✓
Berg, Harry		✓
Jacobson, Judy		✓

Jeanette G. Thornton
SecretaryEd B. Smith
ChairmanMotion: Be Not Concurred In

(include enough information on motion--put with yellow copy of committee report.)

Ed B. Smith

COMMENTS RECEIVED REGARDING HOUSE BILL 806, AN ACT TO INCREASE THE AMOUNT OF MONEY THAT MAY BE USED FOR OPERATION, DEVELOPMENT, AND MAINTENANCE OF FISHING ACCESSES; ...

John Spencer, 306 Mill Street, Sheridan, MT 59749, opposes HB 806. Telephone call 3/12/81.

Roger Cantwell, Billings, opposes HB 806. Telephone call 3/13/81.

Les Kish, Bozeman, opposes HB 806. Telephone call 3/13/81.

Arthur Coffin, Bozeman, opposes HB 806. Office visitor 3/12/81.

Terry Nobles, Corvallis, opposes HB 806. He would like to see the program remain as is. Telephone call--date not noted.

Fred F. Bahnson, M.D., 300 North Willson Avenue, Bozeman. He opposes HB 806--is against using any fishing access program fees for other parts of management.

STANDING COMMITTEE REPORT

MARCH 24

19⁸¹

MR. PRESIDENT

We, your committee on FISH AND GAME

having had under consideration HOUSE Bill No. 738

RYAN (ED SMITH)

Respectfully report as follows: That HOUSE Bill No. 738

third reading copy.

BE CONCURRED IN.

DO:PASS:

Ed Smith *PA.*
Chairman.

SENATE COMMITTEE FISH AND GAMEDate 3/24/81 House Bill No. 738 Time _____

NAME	YES	NO
Smith, Ed, Chairman	✓	
Galt, Jack, Vice Chairman	✓	
Severson, Elmer	✓	
Lee, Gary	✓	
Eck, Dorothy		✓
Berg, Harry		✓
Jacobson, Judy	✓	

Jeanette G. Thornton
SecretaryEd B. Smith
ChairmanMotion: Be Concurred In.

(include enough information on motion--put with yellow copy of committee report.)

PROPOSED AMENDMENT TO HOUSE BILL 152 TO ELIMINATE CIVIL PENALTY

Page 3, line 9.

Strike: "Civil penalty--injunction"

Insert: "Injunction"

Page 3, lines 20 through 17.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

Page 4, line 1.

Strike: "or (2)"

Page 4, lines 4 through 8.

Strike: subsection (4) in its entirety

Notes on the costs associated with HB 152, control of rabies in wild pets.

(1) Section 4 of HB 152 allows recovery of expense incurred by the state pursuant to Section 3 from the owner of a skunk, fox, etc. Potential expenses resulting from Section 3 include the following:

(a) salaries for personnel involved in the steps necessary to impound an animal, plus their transportation costs.

(b) cost of testing an animal's brain for rabies--salaries, equipment, transportation, etc.

(c) cost of room and board and supervisory personnel salaries for an impounded animal.

(2) Section 3 does not contain language referring to vaccination of members of the public exposed to rabid wild pets, so Section 4 could not be used to recover the cost to the state of rabies vaccine. However, the civil penalty provided for in Section 6 in effect may compensate the state for the expense of providing vaccine to the public to deal with rabies exposure from an illegally-kept skunk, etc., to the extent that such vaccine is purchased out of the general fund. Currently, the state is allotted \$5,000 each year of the present and next biennium (the latter not yet assured, of course) for emergency biologicals, including rabies vaccine. The most effective rabies vaccine has, until recently, only been approved for use by health departments, not individual physicians, and is unlikely to be available for general distribution for some time. The State Department of Health and Environmental Sciences buys the vaccine at \$45 per shot, and the 5-dose series results in a cost of \$225 per individual, plus, customarily, a gamma globulin shot at approximately \$20 each, on the average. (If the appropriation for emergency biologicals is used up, DHES will have to charge the cost of the shots to the individuals receiving them.)

(3) Section 6 "costs" refer to any court costs, witnesses fees, etc. related to litigation. They are not the same kind of costs and expenses referred to in Section 4, since the latter refers only to expenses incurred pursuant to Section 3 (impoundment cost, etc., as outlined above).

STANDING COMMITTEE REPORT

MARCH 24 19 01

MR. PRESIDENT

We, your committee on FISH AND GAME

having had under consideration HOUSE Bill No. 152

DONALDSON (BERG)

Respectfully report as follows: That HOUSE Bill No. 152

third reading copy, be amended as follows:

1. Page 3, line 9.
Strike: "Civil penalty--injunction"
Insert: "Injunction"
2. Page 3, lines 10 through 17.
Strike: subsection (1) in its entirety
Renumber: subsequent subsections
3. Page 4, line 1.
Strike: "or (2)"
4. Page 4, lines 4 through 8.
Strike: subsection (4) in its entirety

And, as so amended, BE CONCURRED IN

And the Statement of Intent BE CONCURRED IN

~~DO PASS~~

SENATE COMMITTEE FISH AND GAMEDate 3/24/81 House Bill No. 152 Time _____

NAME	YES	NO
Smith, Ed, Chairman		✓
Galt, Jack, Vice Chairman		
Severson, Elmer	✓	
Lee, Gary	✓	
Eck, Dorothy		✓
Berg, Harry		✓
Jacobson, Judy		✓

Jeanette G. Thornton
SecretaryEd B. Smith
Chairman

Motion: Amendment Pg 2, Section 2, line
11. After "scientific research" add "all the
captive bred and reared offspring of the
above exception."

(include enough information on motion—put with yellow copy of
 committee report.)

SENATE COMMITTEE FISH AND GAME

Date 3/24/81 House Bill No. 152 Time

NAME	YES	NO
Smith, Ed, Chairman	✓	
Galt, Jack, Vice Chairman	✓	
Severson, Elmer	✓	
Lee, Gary	✓	
Eck, Dorothy	✓	
Berg, Harry	✓	
Jacobson, Judy	✓	

Jeanette G. Thornton
Secretary

Ed B. Smith
Chairman

Motion: Be Concurred In As Amended

(include enough information on motion—put with yellow copy of committee report.)

Handwritten notes at bottom right

SUGGESTED AMENDMENTS TO HOUSE BILL 731

1. Title, line 10.

Following: "1981"

Insert: ; and to establish a 2-year moratorium on the use of the Beaverhead River between the Clark Canyon Dam and the Henneberry Bridge by licensed outfitters and guides."

2. Page 4, line 10.

Following: "River"

Strike: "."

Insert: ";

(7) establish and regulate a 2-year moratorium beginning on April 1, 1981, and terminating on March 31, 1983, on the use of the Beaverhead River between the Clark Canyon Dam and the Henneberry Bridge by licensed outfitters and guides."

DATE March 24, 1981

DATE March 24, 198
COMMITTEE ON Senate Fish and Game BILL NO. _____

BILL NO. _____

VISITOR'S REGISTER

[illegible]

(Please leave prepared statement with Secretary)